

# **CHEMUNG COUNTY BOARD OF HEALTH BY-LAWS**

Reviewed and Approved— September 25, 2018

## **Article One PURPOSE AND AIMS**

The purpose and aims of the Chemung County Board of Health are not only to prevent disease and untimely death but also to promote good health within the County. This may be accomplished through an organized effort and the coordination with community agencies, private physicians and other health care providers.

## **Article Two MEMBERS AND TERMS**

**MEMBERS:** Members of the Board of Health of Chemung County shall be appointed at the recommendation of the County Executive and with the approval of the County Legislature. The members of the Board of Health serve at the pleasure of the Chemung County Legislative and Executive Branch. The Legislative Branch also shall select one of the legislators to serve as a voting member on the Board of Health. The Board of Health shall have not less than seven (7) and not more than ten (11) voting members.

In addition to the voting members, there shall be six (6) ex-officio members without a vote.

- The Public Health Director
- The Supervising Public Health Nurse for Clinics
- The Home Health Agency Director
- The Director of Environmental Health Services
- The Deputy Public Health Director
- The Medical Consultant to the Chemung County Department of Health

**TERMS:** The voting members of the Board of Health shall be appointed for six (6) year terms, and they are eligible to be re-appointed for an indefinite number of consecutive terms. To preserve continuity an attempt shall be made to stagger the terms of the voting members.

## **Article Three ELECTION AND NOMINATION OF OFFICERS**

**ELECTION:** Bi-annually the Board shall elect a President and Vice-President for a term of two (2) years and shall designate an administrative staff member to take the minutes of the meetings. At least one of the two elected officers must be a physician in accordance with Public Health Law. The election shall take place at the December meeting of the odd numbered years. The President's term shall be limited to two (2) years. The President shall not succeed him/herself in this office unless under extenuating circumstances, the voting members by a unanimous vote, may allow one (1) additional two (2) year term.

**NOMINATIONS:** The Nominating Committee shall be chaired by the Vice-President and shall have at least one (1) other voting Board member who shall be appointed by the President at or before the September meeting of the Board of the odd numbered years. The President shall not serve on the Nominating Committee. A voting member may make a nomination after the report of the Nominating Committee to the Board.

Article Four  
MEETINGS, QUORUM AND MINUTES

**MEETINGS:** The Board of Health shall meet on the 4<sup>th</sup> Tuesday of the months of January, March, May, July, and September and on the 1<sup>st</sup> Tuesday of December, and the President of the Board may schedule special meetings in the intervening months for urgent matters requiring the action of the Board.

**QUORUM:** A quorum shall be the presence of at least 5 of the voting members of the Board.

**MINUTES:** The staff person designated shall record minutes of each Board meeting and shall include a record of attendance. After approval of the minutes by the Board, they shall be kept on file at the Department of Health.

Article Five  
DUTIES OF THE BOARD

**DUTIES:** The Board of Health shall be vested with the powers and duties as set forth in Article III of the New York State Public Health Law and such other articles as may be applicable.

**BUDGET:** The Board annually shall direct the Public Health Director to submit to the Chemung County Executive an estimate of expenditures and revenues for the following year as required by law.

**COMMITTEES:** The members shall serve on a committee for a special purpose when appointed by the President of the Board.

**EXPENDITURES:** The Board shall require an annual report from the Public Health Director of expenditures by the Chemung County Department of Health.

**SANITARY CODE:** The Board may adopt or revise the Chemung County Sanitary Code in accordance with the New York State Public Health Law.

**SUBPOENAS AND HEARING OFFICER:** The Board of Health may appoint a member of the Board to prepare subpoenas to compel the attendance of witnesses at hearings concerning violations of NYS Public Health Law and New York State or Chemung County Sanitary Code. The Board may appoint a hearing officers to hold hearings and prepare findings for submission to the Board for a decision concerning penalties that may be imposed, or to issue orders concerning the preservation of health and safety in Chemung County.

**ADVISORY COMMITTEE:** The Board of Health shall appoint a Professional Advisory Committee to review and advise concerning health care service delivery policies and quality assurance ~~of care~~ for the Home Health Agency, Public Health Clinics and WIC Program. Minutes of the Professional Advisory Committee shall be submitted quarterly to the Board of Health for review and approval.

**CREDENTIALING OF MEDICAL/DENTAL STAFF:** The Board of Health shall be responsible for reviewing and approving the professional credentials of the Medical Consultant, Dentists (\*), and any other practitioners such as Nurse Practitioner and Physician's Assistant who may have privileges to practice in the County Health Department. Every two (2) years each practitioner, whether contract or employee, shall submit an application to the Board of Health for appointment/re-appointment to practice in the Health Department. The request shall include a curriculum vitae, proof of professional liability insurance, and certifications regarding professional conduct. The Board of Health shall review each applicant's credentials to determine if the applicant is qualified to perform the privileges and services requested and provide written notice of the Board's decision to the applicant. The credentialing methodology shall conform to the procedures specified in the Medical/Dental Staff By-laws for Chemung County Health Department.

QUALITY ASSURANCE OVERSIGHT FOR MEDICAL/DENTAL (\*) STAFF: The Board of Health shall be responsible for providing a system of quality assurance procedures to oversee the clinical work provided by the Medical Consultant and Nurse Practitioner to the Health Department. In order to provide a peer review system, a Physician member of the Board, on a rotating basis, shall conduct with the Medical Consultant and Nurse Practitioner a quality assurance review of a random sample of clinical charts for patients treated by the Medical Consultant or Nurse Practitioner in public health nursing clinics on a semi-annual schedule of approximately January and July. A summary report of this review shall be given to the Board of Health. The Professional Advisory Committee shall provide quality assurance oversight for Public Health Clinics, Home Health Agency and WIC Program, including review and revision of all operating policies. Minutes of the Professional Advisory Committee shall be submitted to the Board of Health on a quarterly basis for review and approval, including adoption of all new or revised policies.

#### Article Six THE PUBLIC HEALTH DIRECTOR

APPOINTMENT: The County Executive, with the advice and consent of the Chemung County Board of Health and the approval of the Chemung County Legislature and the NYSDOH Commissioner, shall appoint a Public Health Director who is qualified in accordance with the NYCRR Volume 10 (A) 11.180, to administer the public health programs for the County of Chemung under the direction of the Chemung County Board of Health. When a Public Health Director is appointed, arrangements for medical consultation will be made subject to the approval of the New York State Health Department.

CONTRACTS: The Public Health Director may recommend contracts for provisions of therapeutic services subject to approval by the Chemung County Executive and the Legislature.

DUTIES: The Public Health Director shall employ and supervise the personnel of the Chemung County Health Department subject to the approval of the Board of Health and the County Executive. He/she is responsible for enforcement of the Chemung County Sanitary Code as well as the New York State Sanitary Code and Public Health Law. He/she is responsible for sanitary surveillance, public health promotion and distribution of information about disease prevention. He/she must secure prompt reporting of communicable diseases as well as birth and death registrations. He/she is required to report the annual expenditures of the Department of Health to the County Executive. He/she shall also serve as chairperson of the County's Public Health Emergency Preparedness Committee and oversee planning and response for public health emergencies including communicable disease and terrorism events.

#### Article Seven REVIEW AND CHANGES TO THE BYLAWS

REVIEW: These bylaws shall be reviewed and/or revised by the Board of Health at least annually.

CHANGES: Changes to the bylaws require written notification to the voting members at least two (2) weeks before a meeting of the Board of Health, and approval of the changes requires at least a two-thirds (2/3) majority vote for adoption at that meeting.

(\*) NOTE: The Chemung County Dental Clinic formally closed on August 31, 2015, and all Article 28 dental services, including school-based sealant program, ceased as of that date. However, dental services remain on the Operating Certificate of the Diagnostic & Treatment Center as a contingency for any future provision of dental services.