

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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SENATE BILL 1006

Short Title: Local Health Director Appt./Discipline. (Public)

Sponsors: Senator Albertson.

Referred to: Health Care.

April 5, 2001

A BILL TO BE ENTITLED

AN ACT TO AMEND THE BOARD OF COUNTY COMMISSIONERS' ROLE IN
THE SELECTION AND DISCIPLINE OF A LOCAL HEALTH DIRECTOR.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-40 reads as rewritten:

"§ 130A-40. Appointment of local health director.

(a) A local board of health, after ~~consulting with~~ receiving the approval of the appropriate county board or boards of commissioners, shall appoint a local health director. All persons who are appointed to the position of local health director on or after January 1, 1992, must possess minimum education and experience requirements for that position, as follows:

- (1) A medical doctorate; or
- (2) A masters degree in Public Health Administration, and at least one year of employment experience in health programs or health services; or
- (3) A masters degree in a public health discipline other than public health administration, and at least three years of employment experience in health programs or health services; or
- (4) A masters degree in public administration, and at least two years of experience in health programs or health services; or
- (5) A masters degree in a field related to public health, and at least three years of experience in health programs or health services; or
- (6) A bachelors degree in public health administration or public administration and at least three years of experience in health programs or health services.

(b) Before appointing a person to the position of local health director under subsection (a)(5) of this section, the local board of health shall forward the application and other pertinent materials of such candidate to the State Health Director. If the State

1 Health Director determines that the candidate's masters degree is in a field not related to
2 public health, the State Health Director shall so notify the local board of health in
3 writing within 15 days of the State Health Director's receipt of the application and
4 materials, and such candidate shall be deemed not to meet the education requirements of
5 subsection (a)(5) of this section. If the State Health Director fails to act upon the
6 application within 15 days of receipt of the application and materials from the local
7 board of health, the application shall be deemed approved with respect to the education
8 requirements of subsection (a)(5) of this section, and the local board of health may
9 proceed with appointment process.

10 (c) The State Health Director shall review requests of educational institutions to
11 determine whether a particular masters degree offered by the requesting institution is
12 related to public health for the purposes of subsection (a)(5) of this section. The State
13 Health Director shall act upon such requests within 90 days of receipt of the request and
14 pertinent materials from the institution, and shall notify the institution of its
15 determination in writing within the 90-day review period. If the State Health Director
16 determines that an institution's particular masters degree is not related to public health,
17 the State Health Director shall include the reasons therefor in his written determination
18 to the institution.

19 (d) When a local board of health fails to appoint a local health director within 60
20 days of the creation of a vacancy, the State Health Director may appoint a local health
21 director to serve until the local board of health appoints a local health director in
22 accordance with this section.

23 (e) The appropriate board or boards of county commissioners shall have the
24 authority to recommend disciplinary action, up to and including dismissal, against the
25 local health director to the local board of health."

26 **SECTION 2.** This act is effective when it becomes law.