

**CHAPTER 15. STATE AID TO LOCAL HEALTH DEPARTMENTS****GENERAL PROVISIONS**

- Sec.  
15.1. Definitions.  
15.2. Purpose.  
15.3. Applications for grants: filing.  
15.4. Applications for grants: content.

**PUBLIC HEALTH PROGRAMS**

- 15.11. Minimum public health programs.  
15.12. Administrative and supportive services.  
15.13. Personal health services.  
15.14. Environmental health services.  
15.15. Minimum standards of performance.  
15.16. Confidentiality of information.  
15.17. Reporting.

**PERSONNEL**

- 15.21. Personnel administration.  
15.22. Director.  
15.23. Directors of nursing and environmental health services.  
15.24. Staffing levels.  
15.25. Employment of physician.

**GRANT LIMITATIONS**

- 15.31. Limitations on Commonwealth grants.  
15.32. Fiscal audit.

**Authority**

The provisions of this Chapter 15 issued under the Local Health Administration Law (16 P. S. §§ 12001—12028), unless otherwise noted.

**Source**

The provisions of this Chapter 15 adopted October 30, 1959, amended June 2, 1978, 8 Pa.B. 1532, unless otherwise noted. Immediately preceding text appears at serial pages (3401) to (3407).

**GENERAL PROVISIONS****§ 15.1. Definitions.**

The following words and phrases, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

*Act*—The Local Health Administration Law (16 P. S. §§ 12001—12028).

*Board*—The Advisory Health Board of the Commonwealth.

*Department*—The Department of Health of the Commonwealth.

*Local health department*—A county health department created pursuant to the act or the health department or board of health of any municipality entitled to receive Commonwealth grants under the act.

*Secretary*—The Secretary of the Department of Health.

**§ 15.2. Purpose.**

The provisions of this chapter set forth the conditions under which local health departments may receive Commonwealth grants under the act.

**§ 15.3. Applications for grants: filing.**

Applications from local health departments for Commonwealth grants shall be received in triplicate by the Secretary within 30 days after passage of the budget of the local health department.

**§ 15.4. Applications for grants: content.**

(a) Each application shall contain, or be accompanied by, all of the following information:

- (1) A detailed budget of proposed expenditures for public health programs.
- (2) The subdivisions of the local health department.
- (3) The title, annual salary rate, and amount for each position.
- (4) The amounts allocated for equipment costs, automobile costs, rent, travel expenses and other expenses.
- (5) An estimate of expected revenues.
- (6) Copies of pertinent resolutions.
- (7) Copies of pertinent contracts for services to be rendered.
- (8) A program plan indicating measurable objectives for each program being funded and the evaluation criteria to be used to measure results.
- (9) A completed budget summary on a form prescribed by the Department. This form shall also be used as an expenditure summary to accompany the end of year certified statement of expenditures.

(b) Any of the information required by subsection (a)(2)—(4) may be incorporated within the budget of proposed expenditures.

(c) The initial application from a local health department shall be accompanied by a narrative statement describing the functions of the subdivisions of the

local health department. Subsequent applications shall describe the functions only insofar as they differ from those described in the initial application.

### **PUBLIC HEALTH PROGRAMS**

#### **§ 15.11. Minimum public health programs.**

Local health departments shall provide public health programs in the following areas: administrative and supportive services; personal health services; and environmental health services.

#### **§ 15.12. Administrative and supportive services.**

Administrative and supportive services shall include, but need not be limited to, the following: administration and program direction; budget; accounting; personnel administration including merit system supervision; public health education, public health statistics, public health laboratory services. Administrative staff shall include a director and necessary professional, technical and clerical personnel.

#### **§ 15.13. Personal health services.**

Personal health services shall include, but need not be limited to the following: chronic disease; communicable disease control, including tuberculosis control and venereal disease control; maternal and child health services; and public health nursing services.

#### **§ 15.14. Environmental health services.**

Environmental health services shall include, but need not be limited to, the following: food protection, water supply, water pollution control, bathing places, vector control, solid wastes, institutional environment, recreational environment and housing environment.

#### **Cross References**

This section cited in 28 Pa. Code § 17.2 (relating to purpose and effect).

#### **§ 15.15. Minimum standards of performance.**

(a) Public health programs provided by local health departments shall comply with such minimum program standards as the Department may, by regulation, adopt through the Board. If all or any part of a public health program is performed by an entity other than the local health department pursuant to a contract or other formal agreement, the local health department shall develop procedures, satisfactory to the Department, to assure compliance with such standards.

(b) Local health departments are subject to annual program performance audits by the Department and by the Department of Environmental Resources. Detailed information concerning the performance of public health programs must be available for review.

(c) The act of December 3, 1970 (P. L. 834, No. 275) (71 P. S. §§ 61, 62, 63, 66, 67, 145, 146, 148, 158, 180-1—180-5, 194, 199, 252, 510-1—510-25, 512, 522, 535, 669, 718-1—718-3, 510-101—510-108), recognizes the responsibility, interest, and expertise in the area of environmental health of the Department of Environmental Resources. In addition, it is recognized that local health departments which conduct these programs also have pertinent knowledge and experience. Therefore, the Department, in developing minimum standards for environmental health services as provided by the act, will do so in cooperation with the Department of Environmental Resources and local health departments in order to promote uniform standards for environmental health.

(d) The Secretary is responsible for assuring compliance by local health departments with minimum program standards, including minimum program standards for environmental health services.

#### Cross References

This section cited in 28 Pa. Code § 17.2 (relating to purpose and effect).

### § 15.16. Confidentiality of information.

Local health departments shall comply with all Department regulations relating to the confidentiality of patient information.

### § 15.17. Reporting.

The director of a local health department shall report to the Department's Commissioner of Local Health directly, by telephone or other immediate means, whenever he becomes aware of a public health hazard or communicable disease outbreak which, in the judgment of the director has potential Statewide significance or which, in his opinion, requires the critical comment or assistance of the Department. The Commissioner of Local Health may require a written report on a health problem or health hazard for which the director of a local health department has a responsibility, including the handling of consumer complaints.

## PERSONNEL

### § 15.21. Personnel administration.

(a) Local health departments shall adopt written job specifications, satisfactory to the Department, for each local health department position. The specifications shall set forth, for each position, the minimum experience and education required of appointees to that position. Each employe of a local health department shall be qualified for the position to which the employe is appointed, and shall

possess at the time of employment the required minimum experience and education indicated in the written job specification for the position.

(b) Local health departments shall not discriminate against or in favor of an applicant or employe because of race, sex, religion, National origin, or political opinions or affiliations.

(c) In order to enable the Department to evaluate compliance with paragraphs (a) and (b) of this section, local health departments shall provide the Department with all relevant information relating to the appointment, reclassification, transfer, suspension, or dismissal of employes within ten working days following such appointment, reclassification, transfer, suspension, or dismissal. The Department shall forward its evaluation of such information to the local health department within ten working days of its receipt thereof.

(d) The Secretary may waive the requirement of subsection (c) upon petition of a local health department and upon submission of an alternate plan containing assurances, satisfactory to the Secretary, that the merit principles described in subsections (a) and (b) are being followed.

#### **§ 15.22. Director.**

Each local health department shall be administered by a director. The director shall be employed full-time and shall work the usual full-time working hours established by the local health department, at the usual place of business of the local health department. The director shall be either a physician with a minimum of 2 years of supervisory or administrative experience in the field of public health, licensed to practice medicine or osteopathy in this Commonwealth, or eligible for licensure within 1 year of appointment, or, if not a physician, a person with at least 4 years of supervisory or administrative experience in the field of public health supplemented by a master's degree in public health, hospital administration, public administration or a related discipline.

#### **Source**

The provisions of this § 15.22 amended September 8, 1978, 8 Pa.B. 2526. Immediately preceding text appears at serial page (37460).

#### **§ 15.23. Directors of nursing and environmental health services.**

Each local health department shall employ a director of public health nursing and a director of environmental health services, who shall devote their entire time to those duties and who shall be under the supervision of the director of the local health department or his designee.

#### **§ 15.24. Staffing levels.**

Each local health department shall have adequate numbers of qualified personnel to assure that the minimum program standards for all mandated program ser-

vices are met. The Department will make recommendations on staffing when a program audit determines that a program service is not adequately staffed.

**§ 15.25. Employment of physician.**

(a) Each local health department shall employ at least one full-time physician, who may be the director of the local health department.

(b) The Secretary may waive the requirement of subsection (a) upon petition of a local health department, if the local health department:

(1) Employs, on at least a half-time basis, a physician knowledgeable in the field of preventive medicine, epidemiology, and communicable disease control.

(2) Demonstrates the availability of a physician in case of medical emergencies.

(3) Submits to the Secretary a plan for the involvement of a physician in public health program development and evaluation.

**GRANT LIMITATIONS**

**§ 15.31. Limitations on Commonwealth grants.**

(a) Commonwealth grants provided to local health departments under a section of the act may not be used for any of the following:

(1) The cost of hospital care and treatment given patients regardless of whether or not they are receiving welfare assistance.

(2) The construction of public hospitals, clinics, laboratories, dispensaries, health centers or similar public health facilities.

(3) The maintenance or operation of communicable disease hospitals, general hospitals and medical dispensaries, exclusive of diagnostic and preventive services usually considered general public health activity.

(4) Plumbing inspection for the purpose of checking conformity with building codes, exclusive of inspections for cross connections as covered by environmental program standards.

(5) Weights and measures control activities.

(6) Extermination of birds, insects, weeds and other similar nuisances, except as essential to protect the public health in accord with accepted public health practices. Advisory services or inspections are excluded from this exception.

(7) The purchase, maintenance or operation of ambulances.

(8) The construction, maintenance, or operation of the following: water and sewage treatment plants; swimming pools and bathing beaches; facilities for garbage and refuse collection, storage, transportation or disposal; public toilets and public bath houses.

(9) The cost of treatment of public water supplies, exclusive of cost to county or city health departments for inspection and advisory services which are a part of a control program undertaken in the supervision of environmental health services.

(10) Compensation or expenses paid any boards of examiners or authorities.

(11) Rentals space utilized for local health department purposes, if such rentals are payable to the county or municipality operating the local health department. This does not preclude reimbursement for the pro rata share of utility costs and janitorial services.

(12) Any other expenditure which the Secretary determines is not reasonably related to the purposes of the act.

(b) Commonwealth grants provided to local health departments under section 25(d) of the act (16 P. S. § 12025(d)), relating to grants for environmental health services, shall be used only for environmental health services and related administrative and supportive services as defined in the act or in this chapter, or as approved by the Secretary. These grants are not subject to a matching requirement.

**§ 15.32. Fiscal audit.**

Local health departments will be subject to annual fiscal audits by the Comptroller of the Department. Detailed records of expenditures, encumbrances and income must be available for review in both the fiscal office of the local health department and the County or Municipal Comptrollers office.

[Next page is 17-1.]

15-8

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