

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 498

Short Title: Health Director Qualifications.

(Public)

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Sponsors: Representatives Barnhill; Black, Colton, Dickson, Easterling, Esposito, Fitch, Fussell, Green Greenwood, Isenhower, Jeralds, Wainwright, and Woodard.

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Referred to: Human Resources.

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April 1, 1991

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE QUALIFICATIONS FOR THE POSITION OF  
LOCAL HEALTH DIRECTOR, AND TO ESTABLISH A HEALTH DIRECTOR  
QUALIFICATION REVIEW COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. Effective January 1, 1992, G.S. 130A-40 reads as rewritten:

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

(a) A local board of health, after consulting with the appropriate county board or boards of commissioners, shall appoint a local health director. ~~The State Personnel Commission, after consulting with the Commission for Health Services, shall establish qualifications for a local health director. The qualifications shall give equal emphasis to education and experience. However, a local health director shall not be required to be a physician.~~ Effective January 1, 1992, all persons who are appointed to the position of local health director on or after that date, must possess minimum education and experience requirements for that position, as follows:

- (1) A medical doctorate and at least one year of experience managing health programs or health services; or
- (2) A masters degree in Public Health Administration, and at least one year of experience managing 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 experience in managing health programs or health services; or

1           (4) A masters degree in a field related to public health, and at least three  
2           years of experience in managing health programs or health services.

3           (b) Before appointing a person to the position of local health director under  
4 subsection (a)(4) of this section, the local board of health shall forward the application  
5 and other pertinent materials of such candidate to the Local Health Director  
6 Qualification Review Committee. If the Review Committee determines that the  
7 candidate's masters degree is in a field not related to public health, the Review  
8 Committee shall so notify the local board of health within 45 days of the Committee's  
9 receipt of the application and materials, and such candidate shall be deemed not to meet  
10 the education requirements of subsection (a)(4) of this section. If the Review  
11 Committee fails to act upon the application within 45 days of its receipt of the  
12 application and materials from the local board of health, the application shall be deemed  
13 approved with respect to the education requirements of subsection (a)(4), and the local  
14 board of health may proceed with its appointment process.

15           (c) When a local board of health fails to appoint a local health director within 60  
16 days of the creation of a vacancy, the State Health Director may appoint a local health  
17 director to serve until the local board of health appoints a local health director in  
18 accordance with this section."

19           Sec. 2. Chapter 130A of the General Statutes is amended by adding the  
20 following new section to read:

21 **"§ 130A-40.1. Local Health Director Qualification Review Commttee.**

22           (a) A Local Health Director Qualification Review Committee is established  
23 within the Office of State Personnel to review the education qualifications of candidates  
24 for local health director positions under G.S. 130A-40(a)(4).

25           (b) The Office of State Personnel shall provide staff assistance to the Committee.

26           (c) The Committee shall consist of three members, one of whom shall be the  
27 Dean of the School of Public Health at the University of North Carolina, one of whom  
28 shall be the President of the Association of Local Health Directors, and one of whom  
29 shall be the State Health Director.

30           (d) The Review Committee shall meet within 30 days of notification from a local  
31 board of health requesting a determination on whether an applicant for the position of  
32 local health director under G.S. 130A-40(a)(4) meets the education requirements of G.S.  
33 130A-40(a)(4). The Review Committee shall act upon requests under its review within  
34 45 days of receipt of applications and pertinent materials from the local board of health,  
35 and shall notify the local board, in writing, of its decision within the 45-day period. The  
36 Review Committee shall, by majority vote, determine a candidate's qualification under  
37 subsection (a)(4) of this section based solely on whether the candidate's masters degree  
38 field is related to public health. If the Review Committee determines that a candidate's  
39 degree field is not related to public health, the Committee shall state the reasons therefor  
40 in its written decision to the local board.

41           (e) The Review Committee shall review requests of educational institutions to  
42 determine whether a particular masters degree offered by the requesting institution is  
43 related to public health for the purposes of G.S. 130A-40(a)(4). The Review Committee  
44 shall act upon such requests within 90 days of receipt of the request and pertinent

1 materials from the institution, and shall notify the institution of its determination in  
2 writing within the 90-day review period. The determination shall be by majority vote of  
3 the Review Committee. If the Review Committee determines that an institution's  
4 particular masters degree is not related to public health, the Review Committee shall  
5 include the reasons therefor in its written determination to the institution.

6 (f) Members of the Committee shall receive per diem and necessary travel and  
7 subsistence expenses as provided in G.S. 138-5."

8 Sec. 3. This act is effective upon ratification.