



CONSOLIDATED HUMAN SERVICES BOARD MEETING

Monday, March 3rd, 2025

224 Seminary Street

Kenansville, N.C. 28349

The Consolidated Human Services Board met at 5:30 p.m. on Monday, March 3rd, 2025 in the Commissioners Room located at 224 Seminary Street, Kenansville, N.C.

Present: Commissioners: Dexter B. Edwards; Elwood Garner; Jesse L. Dowe, III; Wayne Branch; and Justin Edwards.

Also Present: Bryan Miller, County Manager; Carrie Shields, Deputy County Manager; Tim Wilson, County Attorney; Chelsey Lanier, Finance Officer; and Jaime W. Carr, Clerk to the Board.

Call to Order

The meeting was called to order by Chairman Edwards.

Invocation and Pledge of Allegiance

Invocation was given by Mayor A.J. Connors of Warsaw. Mayor Connors then led those in attendance in the pledge of allegiance to the flag of the United States of America.

Approval of the Meeting Agenda

Chairman Edwards asked if the members of the Board approved the proposed meeting agenda, and if any Board Member, County Manager, or Clerk to the Board wished to make any changes or additions to the agenda. No changes/additions were made.

Motion was made by Commissioner Branch, seconded by Commissioner Garner, carried unanimously, to approve the meeting agenda as presented.

REGULAR MEETING AGENDA

CONSENT AGENDA

Motion was made by Commissioner J. Edwards, seconded by Commissioner Garner, carried unanimously to approve consent agenda items as listed: Approve the Following Board of Health Policies and Procedures and Authorize the Chairman to Sign: Board of Health Delegation of Duties to the Health Director; Board of Health Fee Setting Policy; Board of Health Operating Procedures; Board of Health Policy on Policies; Board of Health Procedure for Adjudication; Board of Health Rulemaking Authority and Approve to add CPT Code 87811 COVID Test at \$400.00 to the Current Duplin County Health Department's Fee Schedule

AGENDA

Public Comments

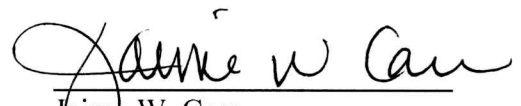
No public comments.

End Public Comments

Annie Murrell, Department of Social Services Director, appeared before the Board to inform them that last month the state began enforcing the Memorandum of Understanding (MOU) with all counties throughout North Carolina. In July of 2025, there will be a dashboard that the public can use to view the county's benchmark scores. She also explained that a county can't fail the MOU benchmarks for three (3) consecutive months or three (3) times within a year or they would be placed on corrective action. Ms. Murrell also informed the Board that Duplin County will go live in June of 2025 with PATH NC (Partnership and Technology Hub) intake process for Child Welfare. She also stated that Duplin County Department of Social Services went live last month with the new North Carolina eCourts system.

Tracey Simmons-Kornegay, Health Director, appeared before the Board to give an Epidemiology report; FY 2024-2025 Health Department Budget Update; Community Health Needs Assessment Update and an Accreditation Update.

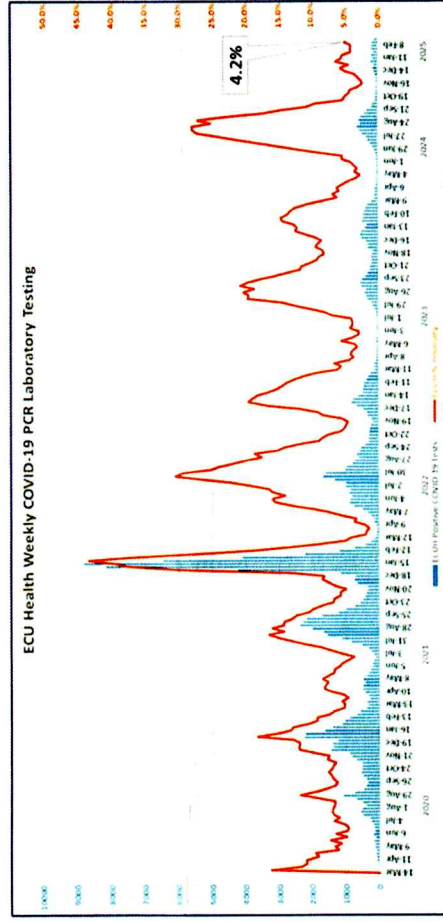
Motion was made by Commissioner J. Edwards seconded by Commissioner Dowe, carried unanimously, to adjourn until Monday, April 7th, 2025 at 5:30 p.m. for a Consolidated Human Services Board Meeting at the Administrative Building, located at 224 Seminary Street in Kenansville, N.C.


Jaime W. Carr
Clerk to the Board

March 3, 2025 HHS Board Meeting Notes

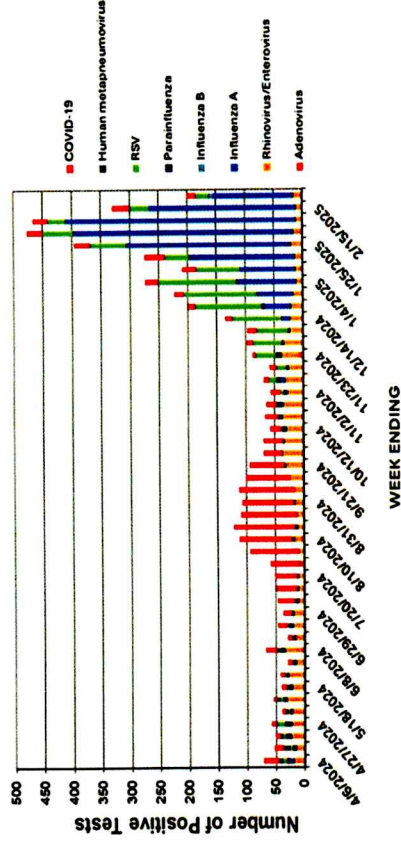
Epidemiology Report

- **2024-2025 Influenza Seasonal Update**
 - Highest + numbers in the past 15 years
 - NC-311 death (as of 9.27.2025) compared to 300 deaths (16 children) last season
 - 309 adult deaths & 2 pediatric (5-17) deaths
 - 73.6% (229 people) were 65+
 - Duplin County – 6 deaths
 - 4 females + 2 males
 - All Caucasian, 65+, & Type A
 - 2 were in a facility
- **Annual Communicable Disease Event**
 - Our annual “abnormal” CD event – very unique
 - Multi-county involvement due to the contacts identified through contact tracing and case investigations
 - Complicated – drug resistant x 2 specific TB medications
 - Quatiferon TB Testing
 - \$55 per test (blood draw) – we only use on high-risk individuals
 - Overall cheaper for the county –
 - less false +s (due to individuals receiving the BCG vaccines)
 - less staff time (x 2 visits for placement)
 - CXR cost (to confirm +s)
 - Duplin County – occupation side
 - ~75 individuals tested (8 staff on EPI team) – end of November 2024
 - Of those, 9 tested + for latent TB – started treatment & no issues to date
 - HD staff delivery a month supply of their daily meds – cost covered by the state
- **Weekly Respiratory Virology Report**



- At-home COVID test kits are available at no-charge as you walk into the health department
- Provided to our libraries, nutritional food sites, churches, community partners, etc

ECUHMC Weekly Respiratory Virology Surveillance



FY2024-2025 Health Department Budget – see handout

- 4-position vacancies
 - LPN – position posted (due to recent probationary termination)
 - EH Specialist – pending interviews (due to retirement/promotions)
 - Public Health Nurse II (FY 25 approval - new) – pending interviews (lack of applicants)
 - Public Health Nurse II-WIC – starts March 10th
- Health’s “working budget” as of January 31, 2025
 - Includes 53 program codes (of which 8-ARPA/COVID & 16-Grant funding-related)
 - With 42% of the FY remaining, 46% of the total budget is remaining of which 59% represents remaining County Appropriations
 - Over the coming months there will be an increase use of County Appropriations as the state fiscal year comes to an end
 - Just as a FYI – Health works with 3 different budget cycles
 - DPH - “service period” runs each year June to May/“payment period” July to June
 - WIC - from October to September
 - Duplin County – from July to June

Community Health Needs Assessment Update – see handout

- Health department is working with ECU Duplin Hospital and the Duplin Coalition for Health to disseminate results and strategize how to address the identified health needs
- 1-pager – newspaper, social media, county’s webpages, coalition members, community partners

Accreditation Update – more information <https://nclhdaccreditation.unc.edu/>

- All of North Carolina’s local health departments have to meet and exceed the state’s accreditation guidelines based on the three core functions (assessment, assurance and policy development) and the ten essential public health services as detailed in the *National Public Health Performance Standards Program*.

Duplin County Health Department
Board of Health Policy

Subject: Board of Health Delegation of Duties to the Health Director

Program: Board of Health

Effective Date: 3/2025 **Revisions:**

Approved By: 

Chairperson, Duplin County Board of County Commissioners

Purpose: The Duplin County Board of Health will have a policy to delegate to the Health Director the duties to operate the Duplin County Health Department in accordance with NC Public Health laws and the County government. The Duplin County Board of County Commissioners has assumed the authority of the Board of Health.

Policy: The Duplin County Board of Health will employ a qualified Health Director and delegate to him/her the authority and responsibility for the overall management and operation of the Duplin County Health Department. In the absence of written policies, the Health Director is to be guided by an application of Board intent as established in other policies and seek guidance where appropriate from the officers of the Board of Health.

Legal Authority: N.C.G.S. 130A-40, 41

Procedures:

The Health Director will serve to administer the Health Department within the conformance, or a reasonable interpretation, of North Carolina General Statutes 130A.

Health Director responsibilities include:

1. Formulate and implement policies for the provision of health department programs, grants, and administration of services. Implement policies for personnel functioning, training and policies and procedures to ensure fiscal accountability.
2. May delegate authority and accountability for program functions to health department staff who are assigned program managerial responsibilities.
3. Assure that program services will be available, accessible, coordinated to promote continuity of care and meet appropriate standards dictated by funding source such as federal, state and other non-governmental agencies.
4. Provide coordination of information with other governmental agencies, private foundations, community-based organizations, and the community, in the planning and delivery of health care and other departmental services.

- The process is a continuous cycle with each department completing 41 benchmarks and 147 activities every 4 years through 3 steps: 1) self-assessment; 2) site visit; and 3) adjudication.
- § 130A-34.4. Strengthening local public health infrastructure: effective July 1, 2014, local public health agencies must be accredited by the North Carolina board in order to continue to receive state and federal funding
- Current Accreditation expires May 8, 2026
 - 90 Day Accreditation Notification – August 1st
 - All Documents Due – **November 1st**
 - Site Visit – Winter 2026
- 2025 BOCC-BOH Accreditation List – see handout
 - 22 activities for BOCC/BOH – noted in red needs to be completed
 - 13 activities for Health Advisory Board – noted in blue needs to be completed
 - 3 activities for HHS Director – noted in green needs to be completed
- Activity 36.1 BOH/BOCC Handbook – 2025 (draft) – see handout & please start to review

Health Advisory Council Membership – Chair & Vice-Chair

- Commissioner Elwood Garner – elected Chair
- Mr. Jorge Trujillo – elected Vice-Chair
- HAC Membership List – see attachment
- Appointment of Dr. Christa Burgette (Dentist Representation)
- Physician & Nurse – Recruiting for Representation

Health Advisory Council 2025 Meeting Calendar – see handout

- Meeting Time – 2nd Thursday of the following months at 6:30pm
 - February 13, 2025
 - April 10, 2025
 - May 8, 2025
 - July 10, 2025
 - August 14, 2025
 - October 9, 2025
 - November 13, 2025
- Meeting Location – Duplin County Health Department

5. Performance of administrative functions will provide accountability for funds received and expended and assure that all regulations and requirements are satisfied.
6. Management of health department staff addressing functions as recruitment, retention, staff development, job descriptions, performance evaluation, employee benefits, termination, and grievance procedures in accordance with County policies and North Carolina Division of Public Health (NCDPH) guidelines.
7. Use of statistical and other relevant information when determining the needs of the communities that are to be served and when monitoring program services. Use of data when considering adding a new service and monitoring program objectives.
8. Present to the Duplin County Board of Health issues of public health concern and those that may require board policy statements.
9. Prepare with the input of the Health Advisory Council and deliver the annual budget presentation to Board of County Commissioners.
10. May approve purchase of capital equipment and contracts for services that the Board approved in the budget package or revisions.
11. Develop the organizational structure and the established lines of communication for the Health Department organizational chart.

Board of Health Responsibilities:

1. Provide support for health department programs and initiatives.
2. Perform role of a search committee when there is a need to hire a new Health Director according to the qualifications and requirements stated in N.C.G.S. 130-40
3. Responsible for the hiring or firing of the Health Director.

Consolidated Health and Human Services Director (CHSD):

1. Per North Carolina Accreditation standards the Consolidated Health and Human Service Director will complete and sign the performance evaluation with the Health Director on an annual basis.
2. Per North Carolina Accreditation standards the Consolidated Health and Human Service Director will review and sign the health director's job description annual and updated as needed.

Reference Policies:

- Board of Health Operating Procedures
- Public Health and Related Laws of North Carolina
- North Carolina Local Health Department Accreditation

Duplin County Health Department

Subject: Operating Procedures Duplin County Board of Health

Program: Duplin County Commissioners Serving as BOH

Effective Date: 3/2025

Revisions:

Approved By:

Dustin R. Schulz

Chairperson, Duplin County Board of County Commissioners

1. Name and Office

The name of this organization is the Duplin County Board of County Commissioners who shall also serve in the capacity of the Duplin County Board of Health (hereinafter "Board"). The principal office of the Board is located at the Duplin County Administrative Office at 224 Seminary Street, Kenansville, NC 28349 (910-296-2104)

2. Officers and Committees

a. Chair and Vice Chair

The Board members shall elect a Chair and Vice Chair by majority vote annually by the January meeting.

b. Secretary

The administrative clerk to the Board shall serve as Secretary to the Board.

c. Health Advisory Council

The Board may establish and appoint members for a Health Advisory Council to serve as public health advocates for the community and professional liaisons to the Board of Commissioners. This is subject to the North Carolina open meetings law and shall comply with the provisions of those laws.

3. Meetings

a. Regular Meetings

The Board shall hold a regular meeting on the first Monday of the 3rd month every quarter (March, June, September, December) except if a regular meeting day is a legal holiday, the meeting shall be held on the next business day. The meeting shall be held at Duplin County Administrative Office at 224 Seminary Street Kenansville, NC. The BOH meeting shall begin after the completion of the scheduled Board of County Commissioners meeting.

b. Public Comment/Participation

Each agenda/meeting shall include a time for individuals or groups who wish to address the Board of Commissioners. The Public Comment time is also available to anyone that may want to address health department/community health concerns or to participate in the community health improvement process. Such individual or group that wish to address the Board shall sign in at the beginning of each meeting on a sign-in sheet provided by the secretary. The time limit for each speaker shall be established by the Board.

c. Agenda

The Secretary to the Board shall prepare an agenda for each meeting. Any board member who wishes to place an item of business on the agenda shall submit a request to the Secretary. The Consolidated Health and Human Services Director shall submit resolutions to the secretary two weeks prior to the Board meeting. Actionable resolutions, which may include recommendations from the Health Advisory Council or their designee, must be submitted for final approval by the Board. Other resolutions may be informational as related to public health reports and updates.

d. Presiding Officer

The Chair of the Board shall preside at Board meetings if he or she is present. If the Chair is absent, the Vice-Chair shall preside.

e. Quorum

A majority of the actual membership of the Board, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by a majority vote of the remaining members shall be counted as present for purposes of determining whether or not a quorum is present.

f. Voting

Each Board member shall be permitted to abstain from voting, by so indicating when the vote is taken. A member must abstain from voting in cases involving conflicts of interest as defined by North Carolina law. If a member has withdrawn from a meeting without being excused by a majority vote of the remaining members, the member's vote shall be recorded as an abstention.

g. Minutes

The Secretary shall prepare minutes of each Board meeting. Copies of the minutes shall be made available to each Board member before the next regular Board meeting. At each regular meeting, the Board shall review the minutes of the previous regular meeting as well as any special or emergency meetings that have occurred since the previous regular meeting, make any necessary revisions, and approve the minutes as originally drafted or as revised. A copy of the minutes will be readily available to the Health Director for the required North Carolina Local Health Department Accreditation documentation. The public may access the minutes through the Duplin County Government website or obtain written copies of Board meeting minutes at Duplin County Administration Office 224 Seminary Street
Kenansville, NC 28349

4. Amendments to Operating Procedures

These operating procedures may be amended at any regular meeting or at any properly called special meeting that includes amendment of the operating procedures as one of the stated purposes of the meeting. A quorum must be present at the meeting at which amendments are discussed and approved, and any amendments must be approved by a majority of the members present at the meeting.

5. Rule Making

The Duplin County Board of Health has the responsibility and authority to adopt rules as necessary, to protect and promote the public health. See Board of Health Policy on Rulemaking Authority. The Board shall do so in compliance with conditions set out in N.C. General Statute 130A-39, by vote at a regular meeting of the Board. The Board will adopt, amend, or repeal a rule only:

- After thorough consideration of the available data and analysis from county and/or staff with expertise in the subject under consideration;
- After consultation with the County Attorney regarding the subject under consideration and regarding the authorities and responsibilities of the Board;
- After public notice of the proposed rule, its effective date and where copies of the proposed rule are available; and
- After conducting a public hearing on the proposed version of the rule at a regular meeting of the Board.

6. Board of Health Training

Each member of the Duplin County Board of County Commissioner serves as a member of the Duplin County Board of Health. This is an important role and critical that each board member be trained and understand what it means to be a part of the Board of Health. Board of Health members should understand the statutory authorities, receive rule-making authority training, have a good knowledge of public health law, and develop their abilities to give sound advice and guidance to the health director and the department.

- Newly appointed members to the Board of Health will receive an orientation to NC public health, public health law and the authorities and responsibilities of the local board of health within their first year of appointment to the board.
- The health department is to assure that board members receive on-going training related to the authority and responsibility of the board at least once in a four-year cycle. The training can be conducted as modules, as a group, and/or as individuals. Members may use self-guided training and provide documentation for completion of training.
- Board of Health Training is a component of LHD accreditation.

7. Compliance with North Carolina Law.

In conducting its business, the Board shall comply with all applicable North Carolina laws, including but not limited to open meetings laws, public records laws, the laws setting forth the powers and duties of local boards of health. To assist the Board in compliance, the local health director shall maintain a current copy of relevant North Carolina General Statutes and make them

available to Board members on request. In order for a local health department to be eligible to receive State and federal public health funding from the Division of Public Health, a local health department shall obtain and maintain accreditation pursuant to G.S. 130A-34.1.

Duplin County Health Department Policy and Procedures

Subject: Fee Setting Policy

Program: Administration

Effective Date: 3/2025 **Revisions:**

Approved By: 

Chairman, Duplin County Board of County Commissioners

Purpose:

In accordance with G.S. 130-A-39(g) Duplin County Health Department will implement fees for services rendered with the approval of the Duplin County Board of County Commissioners (BOCC).

Policy:

The policy of Duplin County Health Department is to ensure that fees are based on service costs are fair and reasonable. The management team which is comprised of all disciplines will review Health Department fees annually and/or as necessary to determine the cost of providing services and discuss the "setting of rates" for the services provided.

Procedure: The following procedures define the methods used for setting rates:

1. The "Medicaid Cost Analysis" provided by the Office of Medicaid Reimbursement will be utilized to compare how much it costs the Health Department to provide a service. The Medicaid Cost Study is performed annually in all Health Departments. The actual results in this document are shared with each County. The cost of providing services is compared throughout the State, from one Health Department to another. This information gives a realistic figure to work with and compares the cost to perform a service to all other counties within the State.
2. The "Office of Medicaid Reimbursement" updates its reimbursement rates as applicable or when changes occur. These rates will be used as a baseline when compared to other third-party rates.
3. A combination of the cost to provide service, Medicare rates, and insurance carrier rates, usual and customary charges for the region (ex: community physician rates, local labs, hospital rates, etc.).

4. Once the above data has been reviewed and fees discussed by the Management Team the Health Director will present the proposed fee schedule to the Health Advisory Council.
5. The Health Advisory Council's discussion of the methodology used to determine cost setting and approval will be reflected in their minutes.
6. Fees shall be based upon a plan recommended by the Health Advisory Council and Health Director, and submitted for approval to the Duplin County BOCC.
7. The local BOH may impose a fee for services to be rendered by a local health department, except where the imposition of a fee is prohibited by statute or where an employee of the local health department is performing the services as an agent of the State.
8. Notwithstanding any other provisions of law, a local BOH may impose cost-related fees for service performed pursuant to Wastewater Systems, Public Swimming pools and tattooing pursuant to N.C.G.S 87-97.
9. The fees collected under the authority of this subsection are to be deposited to the account of the local health department so that they may be expended for public health purposes in accordance with the provisions of the Local Government Budget and Fiscal Control Act.
10. The fee schedule will be approved as part of the total county budget.

Reference Policies

- Environmental Health Policies
- DCHD Policy on Policies
- Orientation Policy
- Board of Health Policy on Delegation of Duties to the Health Director
- Title X guideline
- North Carolina LHD Accreditation

Duplin County Health Department

Policies and Procedures

Subject: Policy on Policies

Program: Administration

Effective Date: 3/2025

Revisions:

Approved By:



Chairman, Duplin County Board of County Commissioners

Purpose: A policy is an agreed-upon course of action for identified circumstances and provides consistent and accurate action by staff. Duplin County Health Department (DCHD) has developed policies to guide the delivery of all programs.

Policy: Policies and procedure are developed through an assessment in a systematic manner to ensure that current standards of care are upheld. The policies will be developed in collaboration with appropriate program supervisor, staff and the management team. Policies and procedure are developed by an assessment of resources that are available or needed to implement the policy or procedure as appropriate. Policies that are needed to implement existing programs do not need a resource assessment. New policies mandated by state, federal or legal guidelines, will be reviewed within the health department by individual program coordinators. If program coordinator deems any needs for additional resources, it will be discussed with the health director and/or medical director for guidance as necessary. Policy development is guided by several factors: standards of care, best practices, mandated requirements of state and federal programs, grant requirements, ethical/legal concerns, local ordinances and rules, findings from quality improvement activities and other mechanism for evaluation of services. All policies and procedures adopted by the DCHD are recorded in a clear and concise manner in the approved format.

Procedure:

1. The identification of the need for a new policy or procedure in a specific program, is made by the program staff in consultation with the Nursing Director or the other appropriate Director, i.e. Environmental Health, Laboratory or WIC. This may also include consultation with the appropriate state program consultant, or the physician supervising clinical services. The program supervisor or member of the Management Team may designate a person within the program to develop a draft policy document.
2. The draft policy or procedure is then presented to the appropriate program supervisor for review and approval. Clinical policies will be submitted to the Nursing Director for review and, as appropriate be review by the Medical Director. All policies and procedures will be reviewed and approved by Health Director, Nursing Director and/ or Program Supervisor.
3. The program supervisor along with the appropriate director are responsible for annually reviewing policies and updating as needed. A policy or procedure with no identified

changes will have the annual signature page signed and dated by the appropriate authority and this indicates the policies have been reviewed.

4. When a change is made to a policy or procedure the date will be placed in the revision section in the policy header. The signature line will be resigned by the appropriate authorities.
5. Staff are notified of new policies or changes to existing policy during a staff meeting, by program supervisor and/or by email.
6. All paper copies of policies and procedure are kept in the Administration area on top of file cabinet. Policies for Laboratory are kept in the lab office, for WIC in the WIC Director's office, for Environmental Health in the Directors' office. The designated areas are accessible to all staff.
7. A master electronic list of all policies and their revision dates is maintained and monitored by the Quality Nurse Specialist/Accreditation Coordinator and Nursing Director.
8. The policies that support the work of the Board of Health (BOH) are reviewed annually and signed by the current Chairman of the Duplin County Board of County Commissioners (BOCC). All members receive a copy of the BOH policies and annual updates by email. The BOCC approves the following administrative policies:
 - Fee Setting Policy
 - Tobacco Use and Tobacco Free Campus
 - Policy on Policies
 - BOH Operating Procedures
 - BOH Delegation of Duties to the Health Director
 - BOH Rulemaking Authority
 - BOH Procedure for Adjudication

Formatting:

1. The header of the document contains the title of the document, program section, effective date, revision dates and a signature line.
2. The font of the documents can be New Times Roman, Arial or other simple type and size will be no smaller than 11-12 font.
3. Paragraph headers may be bolded. Line spacing no smaller than a single space.
4. Page numbers placed at bottom right-hand corner, if two or more pages.
5. Bullets may be used for lists.

Order of Headings:

1. Purpose: To include desired intention and/or expected outcomes.
2. Policy: Broad description of what agency does and why.
3. Legal Authority: Local, state or federal laws, rules ordinances as indicated.
4. Definitions: listed as indicated.
5. Procedure: Detailed description of how and by whom the work is to be completed.

Reference Policies:

- Policy on Standing Orders
- Orientation Policies
- Staff Training Policy

Duplin County Health Department
Board of Health Policy

Subject: Board of Health Procedure for Adjudication

Program: Board of County Commissioners as the Board of Health

Effective Date: 3/2025

Revisions:

Approved By:



Chairperson, Duplin County Board of County Commissioners

Purpose: The Duplin County Board of Health (BOH) shall a policy for adjudication of appeals concerning the enforcement of rules adopted by the local BOH. The Duplin County Board of County Commissioners has assumed the authority of the Board of Health and will follow this policy when they are acting as the BOH.

Policy: The Duplin County BOH members have electronic access to the North Carolina General Statutes and public health laws. The website for North Carolina Public Health Laws is included in the BOH Handbook. The policy will address the appeal process concerning the enforcement of rules adopted by the BOH and concerning the imposition of administrative penalties by a local health director and will be in accordance with N.C.G.S. 130A-24 (c) and (d).

Legal Authority: N.C.G.S. 130A-24 section (a)-(e); 150B-23(a), 150B-51

https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_130A/GS_130A-24.pdf

Procedures:

1. The aggrieved person shall give written notice of appeal to the local health director within 30 days of the challenged action.
2. The notice shall contain the name and address of the aggrieved person, a description of the challenged action, and a statement of the reason why the challenged action is incorrect.
3. Upon filing of the notice, the local health director shall, within **five working days**, transmit to the local BOH the notice of appeal and the papers, materials upon which the challenged action was taken.
4. The local BOH shall hold a hearing within 15 days of the receipt of the notice of appeal.
5. The BOH shall give not less than 10 days' notice of the date, time, and location of the hearing.
6. When addressing an appeal, the BOH shall have the authority to affirm, modify, or reverse the challenged action.
7. The BOH shall issue a written decision based on the evidence presented at the hearing. The decision shall contain a concise statement of the reasons for the decision.

8. A person who wishes to contest a decision of the local BOH shall have the right to appeal. The aggrieved person may appeal to the district court having jurisdiction within 30 days after the date of the decision by the BOH.
9. The scope of review in district court shall be the same as in N.C.G.S. 150B-51.

Reference Policies:

- Board of Health Operating Procedures
- Public Health and Related Laws of North Carolina
- North Carolina Local Health Department Accreditation

Duplin County Health Department
Board of Health Policy

Subject: Board of Health Rulemaking Authority

Program: Board of Health

Effective Date: 3/2025

Revisions:

Approved By:



Chairman, Duplin County Board of County Commissioners

Purpose: The Duplin County Board of Health (BOH) has a role to assess the need in the community for a rule or ordinance to enforce public health actions. The BOH shall evaluate the public health needs of the community and determine whether a rule or ordinance is a viable or practical option. The Duplin County Board of County Commissioners has assumed the authority of the Board of Health and will follow this policy when they are acting as the BOH.

Policy: The Duplin County BOH members have electronic access to the North Carolina General Statutes and public health laws. The website for North Carolina Public Health Laws is included in the BOH Manual. The BOH has access to legal counsel with the County attorney. The BOH will communicate with the county attorney regarding the Board's limits to its legal authority in all discussions regarding an adoption of any rule or ordinance.

Legal Authority: N.C.G.S. 130A-39 section (a)-(g); 130A-247; 130A-335 (c); 130A-87-97

Procedures:

1. The local BOH may adopt a more stringent rule in an area regulated by the Commission for Public Health or the Environmental Management Commission where, in the opinion of the local BOH, a more stringent rule is required to protect the public health.
2. The BOH may not adopt a rule that is less stringent than the established rules of the Commission for Public Health or the rules of the Environmental Management Commission.
3. The local BOH may not adopt a rule concerning the grading, operating, and permitting of food and lodging facilities as defined in G.S. 130A-247(1).
4. The local BOH may adopt rules concerning wastewater collection, treatment and the rules of local disposal systems which are not designed to discharge effluent to the land surface or surface waters only in accordance with G.S. 139A-335(c).
5. The rules or ordinances of a local BOH shall apply to all municipalities within the local board's jurisdiction.

6. The local BOH may in its rules, adopt by reference any code, standard, rule or regulation which has been adopted by any agency of the state of North Carolina, another state, any agency of the United States or by a generally recognized association. The copy of the material adopted by reference shall be filled with the rules.

7. When the BOH proposes the adoption of a rule, ordinance, amendment, or repeal of any local BOH rules the following procedures will be followed:

- Not less than 10 days before the adoption, amendment or repeal of any local BOH, the proposed rule shall be made available at the office of the county clerk within the board's jurisdiction, AND a notice shall be published in a newspaper having general circulation within the area of the board's jurisdiction.
- The notice shall contain a statement of the substance of the proposed rule or a description of the subjects and issues involved, the proposed effective date of the rule and a statement that copies of the proposed rule are available at the local health department.
- The local BOH rule shall become effective upon adoption unless a later effective date is specified in the rule.
- Copies of all rules shall be filed with the secretary of the local BOH.

Reference Policies:

- Board of Health Operating Procedures
- Public Health and Related Laws of North Carolina
- North Carolina Local Health Department Accreditation

