



STATE OF MICHIGAN

DEPARTMENT OF COMMUNITY HEALTH
LANSING

RICK SNYDER
GOVERNOR

NICK LYON
DIRECTOR

December 2, 2014

Dear Local Health Officer:

We are pleased to share the enclosed information regarding the Local Health Department (LHD) Plan of Organization. This letter and its enclosures provide new and essential information for structuring your plan, including the following:

- LHD Plan of Organization Guide
- LHD Plan of Organization Instructions
- Matrix of Services to Local Public Health
- Laws Applicable to Local Public Health
- LHD Health Officer & Medical Director Requirements and Qualifications Review
- LHD Plan of Organization Checklist
- LHD Plan of Organization Approval Form

As part of the assessment of the Plan of Organization, Local Health Services will review your agency's last annual report, your website and most recent audit, as specified in the Local Health Department Comprehensive Agreement. You are required to submit the Plan of Organization to MDCH once every three years (no later than two months before the scheduled Accreditation On-Site Review). Additionally, please note that information regarding the process for approving health officer and medical director qualifications is contained in the Plan of Organization Guide. The enclosed instructions and documents contain more information.

We hope our joint local and state efforts to standardize the LHD Plan of Organization and its components are of value. Questions regarding processing of the enclosed documents may be directed to Local Health Services, Denise Reinhart, at 517-335-8928 or via email: reinhartd@michigan.gov

Sincerely,

Mark A. Miller, Director
Local Health Services

Enclosures

MICHIGAN DEPARTMENT OF COMMUNITY HEALTH
LOCAL HEALTH DEPARTMENT (LHD)
PLAN OF ORGANIZATION GUIDE

A. Legal Basis

The following citations are the legal basis for the Michigan Department of Community Health (MDCH) to require a Plan or Organization. Citations are taken from the Public Health Code (PHC) (PA 378 of 1978).

1. PHC – PART 22 – STATE DEPARTMENT OF PUBLIC HEALTH

333.2235 Local health department; authorization to exercise power or function; primary organization as to services and programs; exceptions; summary reports.

- (1) Except as provided in subsection (3), the department may authorize a local health department to exercise a power or function of the department where not otherwise prohibited by law or rule. *(Refer to the Public Health Code, if needed, for subsection 3).*
- (2) The director, in determining the organization of services and programs which the department may establish or require under this code, shall consider a local health department which meets the requirements of part 24 to be the primary organization responsible for the organization, coordination, and delivery of those services and programs in the area served by the local health department.

2. PHC – PART 24 – LOCAL HEALTH DEPARTMENTS

333.2431 Local health department; requirements; report; reviewing plan for organization of local health department; waiver.

- (1) A local health department shall:
 - (a) Have a plan of organization approved by the department.
 - (b) Demonstrate ability to provide required services. *(Refer to Attachment A for required services).*
 - (c) Demonstrate ability to defend and indemnify employees for civil liability sustained in the performance of official duties except for wanton and willful misconduct.

3. SUMMARY

Part 2235 of the PHC gives broad delegator power to MDCH to assign primary responsibility for the delivery of services to Local Health Departments (LHDs) who meet the requirements set forth in Part 24 of the PHC.

Part 24 of the PHC spells those requirements out; most notably a local health department shall have a plan of organization approved by the department and demonstrate ability to provide required services.

B. Frequency Requirement

To meet these obligations the State Health Department shall require a local health department to submit its plan of organization:

1. Once every three years.
2. Two months before the scheduled LHD Accreditation On-Site Evaluation.
3. Using the requirements listed in Section C and the check list in Attachment D.

C. LHD Plan of Organization: Requirements and Format

1. LEGAL RESPONSIBILITIES AND AUTHORITY

- a. Outline or list state and local statutory authority (*Refer to Attachment B for a survey of state laws*).
- b. Briefly describe the governing entity relationship with the local health department. Include the relationship with both the Board of Health and Board of Commissioners, and others if applicable.
- c. Briefly describe the manner in which a local health department defends and indemnifies employees for civil liability sustained in the performance of official duties except for wanton and willful misconduct (include the name of the carrier).
- d. Briefly describe, if applicable, the agreement, contract, or arrangement for others to assist the local health department in carrying out its Food Service Sanitation Program responsibilities.
- e. Submit a copy of the "Exposure Plan for Blood Borne Pathogens" and the "Chemical Hygiene Plan".

2. LHD ORGANIZATION

- a. Organizational chart contains official positions (titles), lines of authority, and displays names of Directors and higher level managers.
- b. Documentation of board approval of Local Health Department (LHD) Plan of Organization.
- c. List annual LHD total operating budget amount and total number of FTEs for public health services. Include documentation indicating local governing entity approval of budget and copy of the most recent approved budget.
- d. (1) Submit copies of responses to findings from the most recent audit.
(2) List significant issues uncovered as a result of subrecipient monitoring and associated responses.
(3) Submit evidence of corrective action addressing (1) and (2) above.
- e. Briefly describe Information Technology capacity available to access and distribute current public health information.

3. MISSION, VISION AND VALUES

- a. Contains a clear, formally written, publicized statement of the local health department's mission (may include the LHD's Visions, Values, Goals, Objectives).

4. LOCAL PLANNING AND COLLABORATION INITIATES

- a. Outline or list LHD-specific priorities.
- b. Outline or list the LHD activities to plan or pursue priority projects with available resources.
- c. Outline or list community partnerships and collaborative efforts.

5. SERVICE DELIVERY

- a. Outline or list the LHD's locations (including addresses), services, and hours of operation (*Refer to Attachment A for a matrix of services of local public health*).

6. REPORTING AND EVALUATION

- a. Briefly describe the LHD's efforts to evaluate its activities.
- b. Outline or list the LHD's mechanism to report on its activities to the community and its board or other governing entity.

7. HEALTH OFFICER AND MEDICAL DIRECTOR

- a. *Outline the LHD procedure for the appointment of a Health Officer and Medical Director.
- b. Submit correspondence, such as a letter, memorandum, or other statement, from the Michigan Department of Community Health (MDCH) approving the qualifications of the Health Officer and Medical Director (*refer to Attachment C for health officer and medical director requirements and qualifications review*).

***NOTE:** The appointment procedure must include approval by MDCH prior to the start date. (LHD's should make their human resources entity aware of the requirement for MDCH qualifications review/approval before local appointment.) Local health departments and/or their human resources entity should consult MDCH throughout the appointment process and obtain confirmation that candidates meet qualifications according to the applicable sections of the public health code and/or administrative rules. MDCH typically requires 30-day notice to review qualifications.

Michigan Department of Community Health
Public Health Administration
LOCAL HEALTH SERVICES

**Local Health Department Plan of Organization
INSTRUCTIONS**

The following instructions are for Local Health Department (LHD) use in preparing the LHD Plan of Organization. Additional instructions are contained in the Plan of Organization Guide.

Please contact MDCH, Local Health Services at 517-335-8928 with questions regarding your plan or these instructions.

Plan of Organization Preparation

1. Review the LHD Plan of Organization Guide. This Guide provides the legal basis, frequency requirement, plan of organization format, matrix of services of local public health, laws applicable to local public health, health officer and medical director requirements/qualifications review, plan approval form, and plan of organization checklist.
2. Prepare the Plan of Organization according to the Requirements and Format found on pages 2-3 (Section C) of the Guide. Please create the Plan in WORD using 12-point type.
3. Note that for Section C (page 2), item 1a of the Guide (Requirements and Format-Legal Responsibilities and Authority) the LHD need only to augment Attachment B (Laws Applicable to Public Health) with applicable local laws.

Local Approval of Plan

1. The LHD Plan of Organization requires health officer and board chairperson approval prior to submission. In the case of a city health department, approval of the mayor or city council president is required.
2. Please complete the approval form and submit it to MDCH with your Plan.

Plan or Organization Checklist

1. The Plan of Organization checklist was developed as an aid to assure all elements of the Plan are submitted.
2. The Checklist is Attachment D.

3. Please complete the Checklist and submit it to MDCH with your Plan of Organization and supporting documents.

Plan of Organization Submission

1. Submit the Plan of Organization and supporting documentation in hard copy and via CD-ROM or flash drive no later than two months before your scheduled Accreditation On-Site Review.
2. Mail the Plan, CD-ROM or flash drive, and related documents to:

Michigan Department of Community Health
Local Health Services
Capitol View Building, 6th Floor
201 Townsend Street
Lansing, MI 48913

Attention: Denise Reinhart

MDCH Approval & Verification of the LHD Plan of Organization

1. Your Plan of Organization and supporting documentation will be reviewed by MDCH Local Health Services and then forwarded with recommendation(s) to the Senior Deputy Director, Public Health Administration, for approval.
2. Your approved Plan is valid for a three-year period.
3. If changes occur in health officer/medical director appointments during your three-year approval period, follow the LHD Health Officer and Medical Director Requirements and Qualifications Review procedure (Attachment C). A copy of a board resolution approving the appointment(s) must be sent to MDCH Local Health Services.
4. Verification that your Plan has been approved by the MDCH will occur during the Accreditation On-Site Review.

MATRIX OF SERVICES OF LOCAL PUBLIC HEALTH

Services	Rule or Statutory Citation	Required = Basic + Mandated + ELPHS				Allowable	Notes
		1	1.A.	1.B.	1.C.		
Immunizations	PA 252 of 2014 – Sec. 218 and 904; MCL 333.9203; R325.176	X	X	X	X		
Infectious/ Communicable Disease Control	MCL 333.2433; Parts 51 and 52; PA 252 of 2014 – Sec. 218 and 904; R325.171 et seq.	X	X	X	X		
STD Control	PA 252 of 2014 -- Sec. 218 and 904; R325.177	X	X	X	X		
TB Control	PA 252 of 2014 – Sec. 218	X	X	X			
Emergency Management – Community Health Annex	PA 252 of 2014 – Sec. 218 MCL 30.410	X	X	X			Basic Service under Appropriations Act and Mandated Service, if required, under Emergency Management Act.
Prenatal Care	P.A. 252 of 2014 – Sec. 218	X	X				
Family planning services for indigent women	MCL 333.9131; R325.151 et seq.	X		X			

Services	Rule or Statutory Citation	Required = Basic + Mandated + ELPHS				Allowable	Notes
Health Education	MCL 333.2433	X		X			
Nutrition Services	MCL 333.2433	X		X			
HIV/AIDS Services; reporting, counseling and partner notification	MCL 333.5114a; MCL 333.5923; MCL 333.5114	X		X			
Care of individuals with serious Communicable disease or infection	MCL 333.5117; Part 53; R325.177	X		X			(4) Financial liability for care rendered under this section shall be determined in accordance with part 53.
Hearing and Vision Screening	MCL 333.9301; PA 252 of 2014 – Sec. 904; R325.3271 et seq.; R325.13091 et seq.	X		X	X		
Public Swimming Pool Inspections	MCL 333.12524; R325.2111 et seq.	X		X			Required, if "designated"
Campground Inspection	MCL 333.12510; R325.1551 et seq.	X		X			Required, if "designated"

Services	Rule or Statutory Citation	Required = Basic + Mandated + ELPHS				Allowable	Notes
Public/Private On-site wastewater	MCL 333.12751 to MCL 333.12757; R299.2901 et. seq. R323.2210 and R323.2211	X		X	X		Alternative waste treatment systems regulated by local public health.
Food Protection	MCL 289.3105; PA 252 of 2014 – Sec. 904	X		X	X		
Pregnancy test related to informed consent to abortion	MCL 333.17015(18)	X		X			
Public/Private Water Supply	MCL 333.1270 to MCL 333.12715; R325.1601 et. seq.; MCL 325.1001 to MCL 325.1023; R325.10101 et. seq.	X			X		
Allowable Services						X	This category would include all permissive responsibilities in statute or rule that happen to be eligible for cost reimbursement.
Other Responsibilities as delegated and agreed-to	MCL333.2235(1)					X	This category is NOT connected to express responsibilities within statute, but refers entirely to pure delegation by the department as allowed. In addition to general provision, the Code allows delegations for specified functions.

Name	Citation	Description
1. Required Service	MCL 333.2321(2); MCL 333.2408; R325.13053	Means: (A) a basic service designated for delivery through Local Public Health Department (LPH), (B) local health service specifically required pursuant to Part 24 or specifically required elsewhere in state law, or (C) services designated under LPHO.
1.A. Basic Service	MCL 333.2311; MCL 333.2321	A service identified under Part 23 that is funded by appropriations to MDCH or that is made available through other arrangements approved by the legislature. Defined by the current Appropriations Act and could change annually.
1.B. Mandated Service	MCL 333.2408	The portion of required services that are not basic services, but are "required pursuant to this part [24] or specifically required elsewhere in state law."
1.C. ELPHS	P.A. 252 of 2014 – Sec. 904	Funds appropriated in part 1 of the MDCH Appropriations Act that are to be prospectively allocated to LPH to support immunizations, infectious disease control, STD control and prevention, health screening, vision services, food protection, public water supply, private groundwater supply, and on-site sewage management.
2. Allowable Services	MCL 333.2403; R325.13053	"Means a health service delivered [by LPH] which is not a required service but which the department determines is eligible for cost reimbursement".
PA 252 of 2014		Fiscal year 2014-2015 Appropriations Act for the Department of Community Health.

LAWS APPLICABLE TO LOCAL PUBLIC HEALTH (LPH)

Public Health Code (PA 368 of 1978)

MCL § 333.1105 – Definition of Local Public Health Department
 MCL § 333.1111 – Protection of the health, safety, and welfare
 Part 22 (MCL §§ 333.2201 *et seq.*) – State Department
 Part 23 (MCL §§ 333.2301 *et seq.*) – Basic Health Services
 Part 24 (MCL §§ 333.2401 *et seq.*) – Local Health Departments
 Part 51 (MCL §§ 333.5101 *et seq.*) – Prevention and Control of Diseases and Disabilities
 Part 52 (MCL §§ 333.5201 *et seq.*) – Hazardous Communicable Diseases
 Part 53 (MCL §§ 333.5301 *et seq.*) – Expense of Care
 MCL § 333.5923 – HIV Testing and Counseling Costs
 MCL § 333.9131 – Family Planning
 Part 92 (MCL §§ 333.9201 *et seq.*) – Immunization
 Part 93 (MCL §§ 333.9301 *et seq.*) – Hearing and Vision
 MCL § 333.11101 – Prohibited Donation or Sale of Blood Products
 MCL § 333.12425 – Agricultural Labor Camps
 Part 125 (MCL §§ 333.12501 *et seq.*) – Campgrounds, etc.
 Part 127 (MCL §§ 333.12701 *et seq.*) – Water Supply and Sewer Systems
 Part 138 (MCL §§ 333.13801 *et seq.*) – Medical Waste
 (Required to investigate if complaint made and transmit report to MDCH – 13823 and 13825)
 MCL § 333.17015 – Informed Consent

Appropriations (Current: PA 252 of 2014)

Sec. 218 – Basic Services
 Sec. 904 - ELPHS

Michigan Attorney General Opinions

OAG, 1987-1988, No 6415 – Legislative authority to determine appropriations for local health services
 OAG, 1987-1988, No 6501 – Reimbursement of local department for required and allowable services

Food Law of 2000 (PA 92 of 2000)

MCL §§ 289.1101 *et seq.*
 Specifically:
 MCL § 289.1109 – Definition of local health department
 MCL § 289.3105 – Enforcement, Delegation to local health department

Natural Resources and Environmental Protection Act (PA 451 of 1994)

Part 31- Water Resources Protection
 Specifically: MCL §§ 324.3103 Powers and Duties and 324.3106- (Establishment of pollution standards)
 Part 22 - Groundwater Quality rules (on-site wastewater treatment)
 Part 117 - Septage Waste Services
 Specifically: MCL §§ 324.11701 - 324.11720

Land Division Act (PA 288 of 1967)

MCL § 560.105(g) - Preliminary Plat Approvals
 MCL § 560.109a - Parcels less than 1 acre
 MCL § 560.118 - Health Department Approval

Condominium Act (PA 59 of 1978)

MCL § 559.171a - Approval of Condominiums not served by public sewer and water

Safe Drinking Water Act (PA 399 of 1976)

MCL § 325.1016 - Public Water Supplies
 Agreements with Local health departments to administer

This document may serve as a survey of appropriate laws, but may not be considered exhaustive or as a limit to responsibilities required by law.

LHD HEALTH OFFICER AND MEDICAL DIRECTOR REQUIREMENTS AND QUALIFICATIONS REVIEW

A. Legal Basis and Qualifications:

The following Public Health Code citations and rules are the legal basis for the MDCH requirements.

1. Health Officer:

a. **MCL 2428 Local health officer; appointment; qualifications; powers and duties.**

Sec. 2428

- (1) A local health department shall have a full-time local health officer appointed by the local governing entity or in case of a district health department by the district board of health. The local health officer shall possess professional qualifications for administration of a local health department as prescribed by the department.
- (2) The local health officer shall act as the administrative officer of the board of health and local health department and may take actions and make determinations necessary or appropriate to carry out the local health department's functions under this part or functions delegated under this part and to protect the public health and prevent disease.

These qualifications are:

- (1) Has correspondence, such as a letter, memorandum, or other statement, from the Michigan Department of Community Health approving the appointment of the health officer, **and**
- (2) Has an M.P.H. or M.S.P.H. degree and 3 years of full-time public health administrative experience, or
- (3) Has a related graduate degree and 5 years of full-time public health administrative experience, **or**
- (4) Has a bachelor's degree and 8 years of full-time health experience, 5 years of which shall have been in the administration of a broad range of public health programs.

2. Medical Officer

- a. R325.13002 – A medical health officer shall be a physician licensed in Michigan as an M.D. or D.O. who complies with the requirements listed in this section.

R325.13004 – A medical director shall have the same qualifications as a medical health officer.

R325.13001 and R325.13004a - A medical director shall devote his or her full time to the needs of the local health departments except that if the department serves a population of not more than 250,000 and cannot obtain full-time medical direction, the time may be reduced to not less than 16 hours per week.

- b. These qualifications are:

- (1) Has correspondence, such as a letter, memorandum, or other statement, from the Michigan Department of Community Health approving the appointment of the medical director, **and**
- (2) Is board certified in preventive medicine or public health, **or**
- (3) Has an M.P.H. or M.S.P.H. degree and not less than 2 years of full-time public health practice, **or**
- (4) Has an unexpired provisional appointment issued by the department under the authority of MCL 325.2495, provided the appointment was issued before the effective date of these rules.

B. Verification and Approval Process:

Prior to health officer or medical director appointment, the LHD and/or the local human resources official submit evidence of qualifications to the Michigan Department of Community Health.

- (1) The following documents shall be submitted to the Department for approval prior to appointment for both Health Officers and Medical Directors:
 - (a) Current Curriculum Vitae
 - (b) Copy of Diploma (s) or other proof of degree completion

- (c) Proof of Enrollment into Masters of Public Health program (if applicable)
- (2) In addition to the above, the following documentation shall be submitted for Medical Directors:
- (a) Copy of Current Michigan Physician's License and Michigan Drug Control License
 - (b) Copy of Proposed Contract reflecting hours of service to LHD
 - (c) Written documentation of arrangements for a public health physician advisor (if applicable)
- (3) MDCH typically requires 30-day notice to review qualifications and credentials. After MDCH review and approval the following shall be submitted with respect to Health Officers:
- (a) A copy of the local governing entity (or in the case of a district health department by the district board of health) resolution approving the appointment.

LOCAL HEALTH DEPARTMENT
PLAN OF ORGANIZATION

CHECKLIST

Submitted	Description
	PLAN OF ORGANIZATION
	1. LEGAL RESPONSIBILITIES
<input type="checkbox"/>	A. Outline or list State and Local Statutory Authority for your LHD.
<input type="checkbox"/>	B. Brief description of the Governing Entity Relationship with the Local Health Department (LHD).
<input type="checkbox"/>	C. Brief description of the manner in which your LHD defends and indemnifies employees for civil liability sustained in the performance of official duties except for wanton and willful misconduct (include the name of the carrier).
<input type="checkbox"/>	D. Briefly describe, if applicable, Delegation of Food Service Sanitation Program responsibilities. Include name and contracted entity(ies).
<input type="checkbox"/>	E. Exposure Plan for Blood Borne Pathogens. Chemical Hygiene Plan (Hazard Communication Plan).
	2. LHD ORGANIZATION
<input type="checkbox"/>	A. Organizational chart contains official positions (titles) and lines of authority and displays names of Directors and higher level managers.
<input type="checkbox"/>	B. Documentation of board approval of Local Health Department Plan of Organization.
<input type="checkbox"/>	C. List annual LHD total operating budget amount and total number of FTEs for public health services. Include documentation indicating local governing entity approval of budget and copy of most recent budget.
<input type="checkbox"/>	D. 1. Responses to audit findings. 2. Subrecipient monitoring issues and responses. 3. Corrective action regarding (1) and (2) above.
<input type="checkbox"/>	E. Briefly describe information technology capacity needed to access and distribute up-to-date public health information.
	3. MISSIONS, VISION AND VALUES
<input type="checkbox"/>	A. Contains a clear, formally written, publicized statement of the local health department's mission (may include the LHD's Vision, Values, Goals, Objectives).
	4. LOCAL PLANNING AND COLLABORATION INITIATIVES
<input type="checkbox"/>	A. Outline or list LHD-specific priorities.
<input type="checkbox"/>	B. Outline or list the LHD activities to plan or pursue priority projects with available resources.
<input type="checkbox"/>	C. Outline or list community partnerships and collaborative efforts.

	5. SERVICE DELIVERY
<input type="checkbox"/>	A. Outline or list the LHD's locations (including addresses), services, and hours of operation.
	6. REPORTING AND EVALUATION
<input type="checkbox"/>	A. Briefly describe the LHD's efforts to evaluate its activities.
<input type="checkbox"/>	B. Outline or list the LHD's mechanism to report on its activities to the community and its governing entity.
	7. HEALTH OFFICER AND MEDICAL DIRECTOR
<input type="checkbox"/>	A. Procedure for appointment of a Health Officer and Medical Director
	B. HEALTH OFFICER:
<input type="checkbox"/>	1. MDCH Approval – Letter, memo, other.
	C. MEDICAL DIRECTOR:
<input type="checkbox"/>	1. MDCH Approval – Letter, memo, other.
<input type="checkbox"/>	8. LHD Plan Of Organization Approval Form

LOCAL HEALTH DEPARTMENT (LHD)
PLAN OF ORGANIZATION

APPROVAL FORM

This approval form is to be signed by the health officer and the chairperson of either the board of commissioners or board of health. In the case of a city health department, the mayor or city council president shall sign. Completion of this form is required and submitted to MDCH with the LHD Plan of Organization.

I have reviewed the Plan of Organization for _____.

(insert local health department name)

The Plan and related documentation accurately reflect the organization of services and programs for the area served by the local health department. We affirm this Plan, as submitted, fulfills all the requirements set forth in the LHD Plan of Organization Guide.

Health Officer Name: _____

Health Officer Signature: _____

Date: _____

Board Chairperson Name: _____

Board Name: _____

Mailing Address: _____

Chairperson Signature: _____

Date: _____

Comments: