



Section I: Powers and Duties

MPR I

A local health department shall continually and diligently endeavor to prevent disease, prolong life, and promote the public health through organized programs, including prevention and control of environmental health hazards; prevention and control of diseases; prevention and control of health problems of particularly vulnerable population groups; development of health care facilities and health services delivery systems; and regulation of health care facilities and health services delivery systems to the extent provided by law.

Reference: P.A. 368 of 1978, Section 2433

Indicator I.1

A local health department shall implement and enforce laws for which responsibility is vested in the local health department. (Section 2433 (2) (a)).

This indicator may be met by:

- Lists of state and local laws and regulations for which the local health department is responsible in preventing disease, prolonging life, and promoting public health (see Attachment A for state laws that may be applicable).
- Documents setting out the local health department's policies and procedures for enforcement of those laws and regulations for which it is responsible.

Documentation Required:

Documents setting out the policies and procedures for enforcement, including warning orders and notices, engagement of the court to enforce orders in cases of noncompliance, and the issuance of emergency orders to the mass populace, which may include involuntary detention and treatment.

Evaluation Question:

None.

Indicator I.2

A local health department shall utilize vital and health statistics and provide for epidemiological and other research studies for the purpose of protecting the public health. (Section 2433 (2) (b)).

This indicator may be met by:

- Demonstrating access to vital and health statistics.
- Documents that demonstrate analysis and interpretation of vital and health statistics in reports for, at a minimum, the major causes of morbidity, mortality and environmental health hazards within the jurisdiction.



Michigan Local Public Health Accreditation Program
Tool 2017– MPR Indicator Guide
Section I: Powers and Duties

Documentation Required:

See above.

Evaluation Question:

None.

Indicator 1.3

A local health department shall make investigations and inquiries as to the causes of disease and especially epidemics, the causes of morbidity and mortality, and the causes, prevention, and control of environmental health hazards, nuisances, and sources of illness. (Section 2433 (2) (c)).

This indicator may be met by:

- A written description of the organizational arrangements and capacity to conduct such investigations, including policies and procedures for doing same.
- Documentation of required reports to the State of Michigan related to disease outbreaks and environmental health hazards.
- Documents which demonstrate the investigation of causes of morbidity and mortality and the causes, prevention, and control of environmental health hazards, nuisances, and sources of illness within the jurisdiction.

Documentation Required:

See above.

Evaluation Question:

None.

Indicator 1.4

A local health department shall plan, implement, and evaluate health education through the provision of expert technical assistance, or financial support, or both. (Section 2433 (2) (d)).

This indicator may be met by:

Documentation which demonstrates involvement in activities to educate the population about the major causes of morbidity, mortality, and environmental health hazards.

Documentation Required:

See above.

Evaluation Question:

None.

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Michigan Local Public Health Accreditation Program
Tool 2017– MPR Indicator Guide
Section I: Powers and Duties

Indicator 1.5

A local health department shall provide or demonstrate the provision of required services as set forth in Section 2473(2). (Section 2433 (2) (e)). See Attachment B for required services. Note: A LHD may indicate that it is not providing one or more required services. See Attachment C for excerpt from the Public Health Code (P.A. 368, Sept. 30, 1978).

This indicator may be met by:

Documentation that required services set forth in Attachment B are available in the jurisdiction either by direct delivery or through other community providers.

Documentation Required:

See above.

Evaluation Question:

None.

Indicator 1.6

A local health department shall have powers necessary or appropriate to perform the duties and exercise the powers given by law to the local health officer and which are not otherwise prohibited by law. (Section 2433 (2) (f)).

This indicator may be met by:

A [Plan of Organization](#) adopted by the local governing entity and approved by the Director of the Michigan Department of Health & Human Services (MDHHS).

Documentation Required:

See above.

Evaluation Question:

None.

Indicator 1.7

A local health department shall plan, implement, and evaluate nutrition services by provision of expert technical assistance or financial support, or both. (Section 2433 (2) (g)).

This indicator may be met by:

Documentation, which demonstrates involvement in activities to provide and/or support Nutrition Services in the jurisdiction.

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Michigan Local Public Health Accreditation Program
Tool 2017– MPR Indicator Guide
Section I: Powers and Duties

Documentation Required:

See above.

Evaluation Question:

None.



Michigan Local Public Health Accreditation Program
 Tool 2017– MPR Indicator Guide
Section I: Powers and Duties

Attachment A

MATRIX OF SERVICES OF LOCAL PUBLIC HEALTH

Services	Rule or Statutory Citation	Required =	Basic +	Mandated +	LPHO	Allowable	Notes
		I	I.A.	I.B.	I.C.	2	
Immunizations	PA 349 of 2004 – 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 349 of 2004 – Sec. 218 and 904; R325.171 et seq.	X	X	X	X		
STD Control	PA 349 of 2004 -- Sec. 218 and 904; R325.177	X	X	X	X		
TB Control	PA 349 of 2004 – Sec. 218	X	X	X			
Emergency Management – Community Health Annex	PA 349 of 2004 – Sec. 218 MCL 30.410	X	X	X			Basic Service under Appropriations Act and Mandated Service, if required, under Emergency Management Act.
Prenatal Care	PA 349 of 2004 – Sec. 218	X	X				
Family planning services for indigent women	MCL 333.9131; R325.151 et seq.	X		X			
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 349 of 2004 – 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”
Public/Private On-Site Wastewater	MCL 333.12751 to MCL 333.12757 et. seq., R323.2210 and R323.2211	X		X	X		Alternative waste treatment systems regulated by local public health.

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Michigan Local Public Health Accreditation Program
 Tool 2017– MPR Indicator Guide
Section I: Powers and Duties

Food Protection	PA 92 of 2000 MCL 289.3105; PA 349 of 2004 – 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.

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Michigan Local Public Health Accreditation Program
 Tool 2017– MPR Indicator Guide
Section I: Powers and Duties

MATRIX DEFINITIONS

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 MDHHS or that is made available through other arrangements approved by the legislature. Defined by the current Appropriations Act and could change annually. For FY 2005: immunizations, communicable disease control, STD control, TB control, prevention of gonorrhea eye infection in newborns, screening newborns for 8 conditions, community health annex of the MEMP, and prenatal care.
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. LPHO	PA 349 of 2004 – Sec. 904	Funds appropriated in part 1 of the MDHHS Appropriations Act that are to be prospectively allocated to LPH to support immunizations, infectious disease control, STD control and prevention, hearing 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 349 of 2004		Fiscal year 2005 Appropriations Act for the Department of Health & Human Services.

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Section I: Powers and Duties

Attachment B

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 MDHHS – 13823 and 13825)
- MCL § 333.17015 – Informed Consent

Appropriations (Current: PA 349 of 2004)

- Sec. 218 – Basic Services
- Sec. 904 - LPHO

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



Section I: Powers and Duties

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 as amended)

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

Safe Drinking Water Act (PA 399 of 1976 as amended)

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.



Michigan Local Public Health Accreditation Program
Tool 2017– MPR Indicator Guide
Section I: Powers and Duties

Attachment C

Public Health Code (P.A. 368 of 1978):

333.2475 Reimbursement for costs of services; equitable distribution; schedule; local expenditure in excess of prior appropriation.

Sec. 2475.

(1) The department shall reimburse local governing entities for the reasonable and allowable costs of required and allowable health services delivered by the local governing entity as provided by this section. Subject to the availability of funds actually appropriated, reimbursements shall be made in a manner to provide equitable distribution among the local governing entities and pursuant to the following schedule beginning in the second state fiscal year beginning on or after the effective date of this part:

- (a) First year, 20%.
- (b) Second year, 30%.
- (c) Third year, 40%.
- (d) Fourth year and thereafter, 50%.

(2) Until the 50% level is reached, a local governing entity is not required to provide for required services if the local expenditure necessary to provide the services is greater than those funds appropriated and expended in the full state fiscal year immediately before the effective date of this part.