



FORT BEND

HEALTH & HUMAN SERVICES

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Role of the Local Health Authority

V.G. Young School for County Commissioners Courts
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Topics to Cover

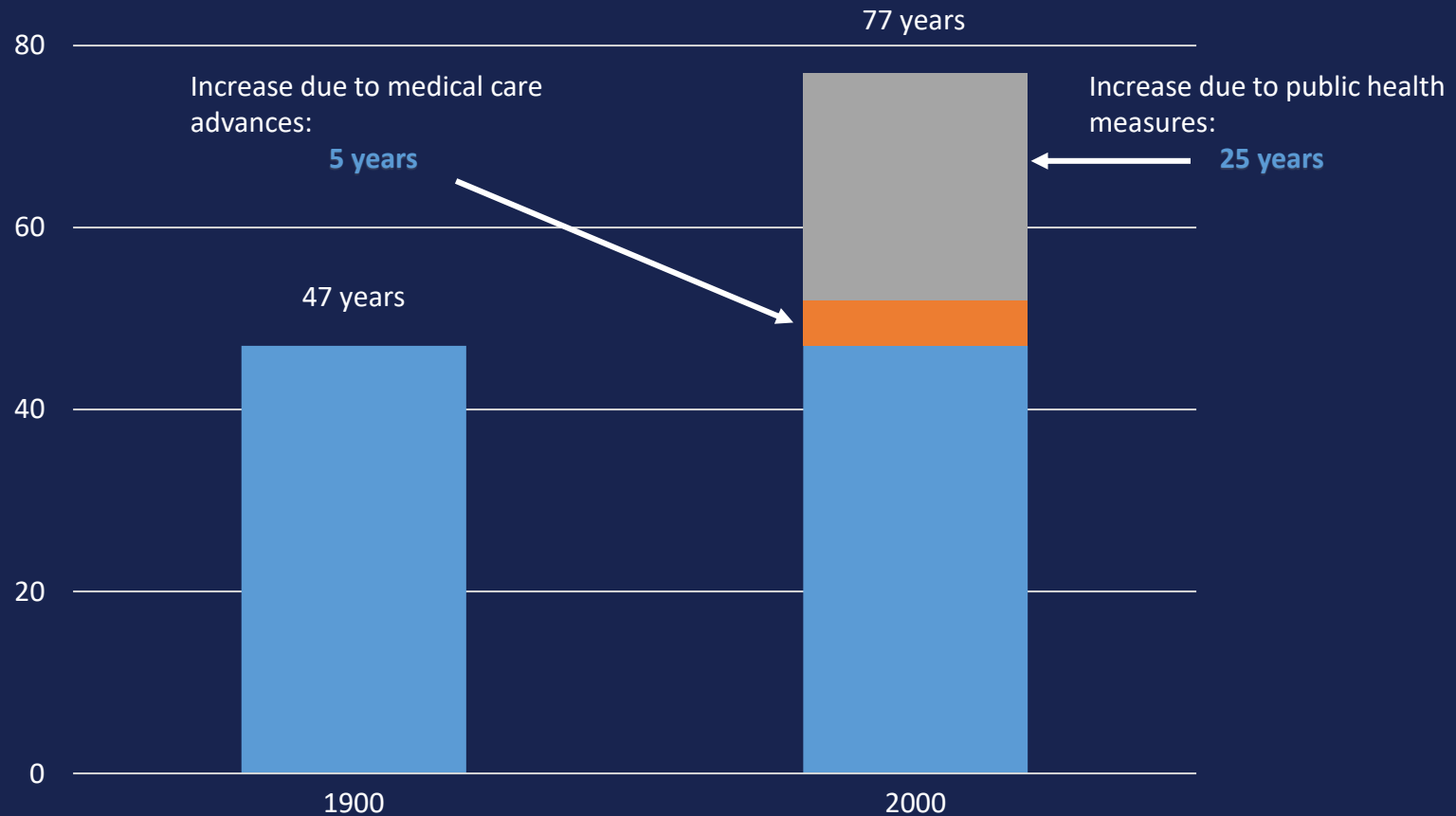
- **Public Health & Medical Care**
- **Historical Background for the County Health Officer**
- **Health Authority Qualifications**
- **Health Authority Duties**
- **Challenges encountered by health authorities**
- **Case Studies**
- **Q & A**

20th Century Life Expectancy



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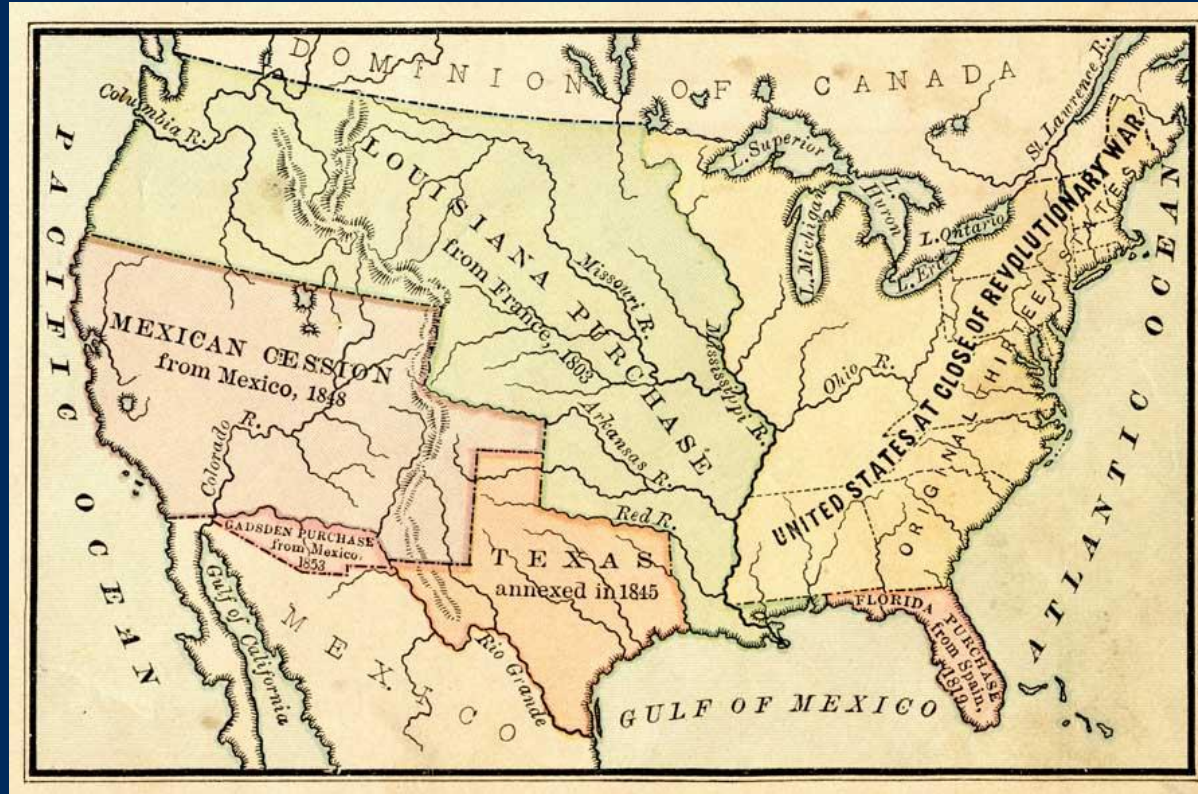
Ten Great Public Health Achievements -- United States, 1900-1999 MMWR, April 02, 1999/48(12); 241-243

<http://www.cdc.gov/mmwr/preview/mmwrhtml/00056796.htm>

Public Health & Medical Care

Public Health	Medical Care
Focuses on society	Focuses on individual
Vital to many at most times	Vital to some at specific times
Saves lives all at once	Saves lives one at a time
Prevents, protects, and promotes	Treats the condition
Many	One
Broad focus	Narrow focus
Data	Case

Historical Background



Early History – Local Focus

- 1806
 - San Antonio
 - Smallpox
- 1850
 - Galveston
 - Quarantine
- 1891
 - **County Physician** county judge empowered by Legislature to appoint a part-time county physician to make and enforce local quarantine regulations
- 1909
 - **County Health Officers** - office of county physician abolished and position of county health officer established; charged with giving medical care to people in jails and poorhouses and to those on the pauper rolls of the county

The Contemporary Health Authority




Basis for Contemporary Health Authority

- **1983:** Local Public Health Reorganization Act combines prior legislative authority for consistency; health officer becomes health authority
- **1989:** Local Public Health Reorganization Act recodified as chapter 121, Health & Safety Code
 - Authorizes commissioners court to “enforce any law that is reasonably necessary to protect the public health”
 - Describes qualifications and duties of a **health authority**

Modern Public Health Threats

- Fast-spreading infectious diseases such as COVID-19, influenza, Ebola, West Nile and Zika viruses
- Foodborne illness outbreaks
- Hurricanes and other perilous weather
- Water contamination or technology-related interruptions of public services
- Toxic waste
- Explosions of oil rigs, chemical factories or transit vessels carrying hazardous materials
- Threats from domestic or foreign individuals or organizations, including terrorists

The Legal Framework for the Health Authority



OATH OF OFFICE

For Health Authorities in the State of Texas

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Health Authority of the State of Texas and will to the best of my ability, preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Affiant

Mailing Address

(Area Code) Phone Number (day and evening)

Email Address

SWORN TO and subscribed before me this _____ day of _____, 20____.

Signature of Person Administering Oath

(Seal)

Printed Name

Title

Revised by DSHS Division for Regional and Local Health Services, June 3, 2016



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25 TEXAS ADMIN. CODE § 85.1

Sets out rules for **health authority**

Qualifications

“Competent physician with a reputable professional standing”

Legally qualified to practice medicine in Texas

Resident of Texas

Takes official oath

Files copy of oath & appt. with DSHS

HSC § 121.022

Delegating Duties of a Health Authority

The designee

- must meet all of the same qualifications as a health authority and
- must take the official oath.
- oath should be submitted to the local jurisdiction and
- copies should be sent to the appropriate regional medical director or public health region of DSHS in case the interim delegate is called on to file court documents for disease control measures or other public health proceedings.
- Interim delegations cannot extend past the end of a health authority's original appointment term.
- notice should be given to DSHS when a health authority's responsibilities are delegated as well as when they resume.

Duties of A Health Authority

- Establishing, maintaining and enforcing a local quarantine
- Reporting the presence of contagious, infectious and dangerous epidemic diseases in the health authority jurisdiction
- Enforcing public health rules, requirements and ordinances
- Enforcing sanitation laws
- Providing vital statistics such as numbers of deaths from disease outbreaks

Duties of A Health Authority

Examples

- Court-ordered control measure for person with communicable disease
- Review application for mass gathering permit
- Disaster planning & response
- Education & outreach
- Sanitation/code enforcement

Challenges for the Health Authority

“A health authority is a state officer when performing duties prescribed by state law.”



Balancing Public Health Actions

HIPAA

“The protections of the (HIPAA) Privacy Rule are not set aside during an emergency” (HHS, 2020). However, “the HIPAA Privacy Rule protects the privacy of patients’ health information (protected health information) but is balanced to ensure that appropriate uses and disclosures of the information still may be made when necessary to treat a patient, to protect the nation’s public health, and for other critical purposes.”

Texas allows for additional disclosures of protected health information for public health purposes, including to the American Red Cross and first responders – this does not include elected officials

Case Study: “Thad”



- 28-year-old food handler at a 24-hour restaurant,
- feels fatigued and has a fever.
- He continues to work while feeling ill.
- Eventually, he is diagnosed with hepatitis A.
- the emergency clinic staff notifies the local health entity - epidemiologists
- Contact the health authority.

Health Authority Investigates

- Approximately 12 people work with Mr. Beckman during his night shift.
- As many as 100 diners may have come into contact with him each night.
- No co-workers or diners are known to have contracted hepatitis A as a result of contact with Mr. Beckman, but it is still within the incubation period for the disease.

Case Study: “Thad” (cont.)



- Notify DSHS regional medical director
- arranging for a registered sanitarian to conduct an environmental assessment of the restaurant to determine the risk for foodborne disease outbreak
- notifying the public of the situation via a news release
- Yes, you would name the restaurant and the times when the food handler was working
- No – you would not release the food handler’s identity.

Quarantine & Isolation

Isolation (Ill and infectious) and quarantine (well and watching) are tools used in public health to minimize or prevent the spread of infectious diseases within a population. These can be voluntary or mandatory.

Mr. G – exposing household children to disease

Ms. A – exposing school children to disease

Mr. S – exposing vulnerable people to disease

Case Study: “Ernesto”



- age 6 reached to pet a fox at a campground
- the animal bit him and ran off.
- park rangers urged the boy be taken to his pediatrician right away because of possible rabies exposure.
- The pediatrician calls the local health entity/health authority for advice. such cases are considered public health emergencies.
- Consult with the DSHS regional medical director,
- Health Authority gives the medication advice or treats the child at the health department.
- The presence of an obvious bite mark witnessed by others, combined with the fact that foxes are high-risk animals for rabies and the inability to test the animal make it impossible to rule out rabies exposure. When exposure cannot be ruled out, post-exposure prophylaxis as recommended by the Centers for Disease Control and Prevention (CDC) should be administered.

HA Q & A



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When can my county directly appoint a health authority?

- If it has not established a health department or public health district

HSC § 121.028(a)



HA Q & A



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Does my county have to appoint a health authority?

- Only if it has not established a local health department or a public health district **and** it is receiving a DSHS grant for essential public health services under § 121.0065

HSC § 121.028(b)



HA Q & A



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What if my county has a health department?

- Then commissioners court appoints director of health department
- If director is physician, that person is also the health authority
- If not, director appoints physician as health authority (subject to comm. court and DSHS approval)



HSC § 121.033

HA Q & A



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What if my county is part of a public health district?

- Then members of public health district appoint director of district
- If director is physician, that person is also the health authority
- If not, director appoints physician as health authority (subject to district members and DSHS approval)

HSC § 121.045



HA Q & A



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What if my county does not have a health authority?

- Then the DSHS regional director* will perform the duties of a health authority

HSC § 121.007(c)

*regional director: physician employed by DSHS who serves as chief administrative officer of a region

HSC § 121.007(b)



Summary

Public Health

- Deals with community as a whole
- Helps improve life expectancy
- Focuses on prevention as well as treatment



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Summary

Statutory Framework

- Counties may only do what state law says they can
- Counties may spend money on and enforce public health laws
- Counties may appoint health authority



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Summary

Health Authority

- Physician appointed to 2-year term
- State officer
- Duties: enforce health laws, quarantine, report disease outbreaks, assist DSHS
- Local presence



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