

CHAPTER 78
DISTRICT HEALTH DEPARTMENTS
[Prior to 7/29/87, Health Department[470] Ch 78]

641—78.1(137) Minimum standards for district health departments.

78.1(1) A district health department approved after September 3, 1997, shall have jurisdiction over at least two counties.

78.1(2) All areas under the jurisdiction of a district health department shall be in close proximity, and district boundaries shall follow existing county boundaries.

78.1(3) A district health department shall provide public health nursing services and environmental health services, and may provide other public health population-based services as are deemed advisable and necessary.

78.1(4) The district board of health shall delegate responsibility for administration of the district health department to an individual who is a full-time employee in the department.

641—78.2(137) Preparation of district health department plan.

78.2(1) The Iowa department of public health shall prepare a proposed plan for formation of district health departments after consideration of the following factors:

- a. Compliance with 78.1(1), 78.1(2) and 78.1(3).
- b. Opinions and desires of existing local boards of health, as determined by questionnaire, conference, or other appropriate method.
- c. Configuration of existing or proposed districts of other agencies whose activities are related to public health.

78.2(2) The plan shall consist of a map showing district boundaries, and a list of existing city and county boards of health in each district. The proposed plan shall be submitted to all existing local boards for consideration. At least 30 days shall be allowed for submission of comments by the local boards.

78.2(3) After consideration of comments by the local boards, the Iowa department of public health shall prepare a final plan and shall send copies to each local board.

78.2(4) Whenever any amendment to the final plan is proposed, the Iowa department of public health shall notify all affected local boards and shall allow at least 30 days for submission of comments.

78.2(5) Whenever amendments of the plan are made, the Iowa department of public health shall transmit copies of the amended plan to all local boards of health.

641—78.3(137) Approval of district health departments. Local boards of health desiring to form a district health department shall submit the following information:

78.3(1) A resolution passed by each involved local board of health within the district, as designated in the state plan, stating:

- a. Its desire that a district health department be formed, and
- b. Its approval of the plan for appointment of district board members.

78.3(2) Adequate assurance that, upon organization as a district, the minimum organizational and service standards specified in 78.1(4) and 78.1(5) will be met. Such assurance may include:

- a. Listing of existing personnel in the district whose services will be utilized by the district board.
- b. Copies of existing or proposed budgets or resolutions of intent from counties, cities or other organizations, indicating that funds will be provided for the district's local health fund.
- c. Such other information as shall be acceptable to the director of public health.

78.3(3) A plan for appointment of the district board of health, which shall include:

- a. The number of members to be appointed, which shall not be less than 5 nor more than 11.
- b. The number of doctors of medicine and surgery or osteopathic physicians and surgeons to be appointed, which shall not be less than one nor more than three.
- c. The term of office of the members, which shall not be less than two nor more than six years.

d. The dates of appointment of members. Except for appointment of the original board, and appointments for filling vacancies in unexpired terms, no more than 60 percent of the board members shall be appointed in any one year.

e. The appointing authority for each board member. Members may be appointed by:

- (1) County boards of supervisors.
- (2) City councils.

f. The method or methods of filling vacancies in unexpired terms of each board member.

g. Any other qualifications or restrictions relating to appointment of board members.

- (1) At least one member shall be appointed from each county.
- (2) When a district includes a city of over 25,000 population, at least one board member shall be appointed from such city.

78.3(4) Upon receipt of all necessary information, as specified in 78.3(1), 78.3(2) and 78.3(3), the Iowa department of public health shall review such information, and shall determine, within 30 days, whether the minimum standards specified in 78.1(137) will be met by the proposed district.

78.3(5) Upon determination that minimal standards will be met by the proposed district, the Iowa department of public health shall approve formation of the district, and shall set an effective date for district formation, which shall not be less than 30 days from the date of approval.

78.3(6) Notice of approval for district formation, including the effective dates, shall immediately be sent to:

- a.* The county board of health of each county in the district.
- b.* The board of supervisors of each county in the district.
- c.* The city board of health of each city over 25,000 population in the district, unless such board has been terminated.

78.3(7) Upon receipt of the notice of approval for district formation, each appointing authority shall, prior to the effective date of formation of the district, appoint board members as specified in the plan referred to in 78.3(3), who shall take office on the effective date.

641—78.4(137) Additions to district health departments.

78.4(1) The board of health of any county, or any city over 25,000 population which desires to be added to an existing district health department, shall submit an application to the district board of that district.

78.4(2) If addition of said city or county is approved by a majority of the members of the district board, the following information shall be submitted to the state board of health:

- a.* A resolution passed by the board of health of the applicant city or county, stating its desire to be added to the district, and approving the revised plan for appointment of district board members.
- b.* Adequate assurances, as described in 78.3(2), that minimum service standards will continue to be met following addition of the applicant city or county.
- c.* A revised plan for appointment of members of the district board of health, which shall conform with all requirements of 78.3(3).
- d.* A resolution or statement of agreement from each appointing authority whose authority to appoint board members is affected by the revised plan for appointment of district board members.
- e.* A resolution passed by the district board approving addition of the applicant city or county.

78.4(3) If addition of the applicant city or county to the district is approved by the state board of health, an effective date shall be set for the action, and notification sent to:

- a.* The district board of health.
- b.* The board of health of the applicant city or county.
- c.* The board of supervisors of the applicant county.
- d.* The council of the applicant city.
- e.* The council of each city within the applicant county.

78.4(4) Any new district board of health members required by the revised plan shall be appointed prior to the effective date by the appropriate authorities, and shall take office on the effective date.

641—78.5(137) Withdrawal from district health departments.

78.5(1) The board of supervisors of any county, or the city council of any city over 25,000 population, desiring to withdraw from a district health department, shall submit an application to the district board of health of that district.

78.5(2) If withdrawal of said county or city is approved by a majority of the members of the district board, the following information shall be submitted to the state board of health:

a. A resolution passed by the board of supervisors of the applicant county, or the city council of the applicant city, stating its desire to withdraw from the district and stating also its intent to:

- (1) Apply for addition to another district, or
- (2) Appoint a county or city board of health.

b. Adequate assurances, as described in 78.3(2) that minimum service standards will continue to be met in the district following withdrawal of the applicant county or city.

c. Assurance that minimum standards specified in 78.1(1), 78.1(2) and 78.1(3) will continue to be met in the district following withdrawal of the applicant county or city.

d. A revised plan for appointment of the district board of health, which shall conform with all requirements of 78.3(3).

e. A resolution passed by the district board approving withdrawal of the applicant city or county, and approving the revised plan for appointment of the district board of health.

78.5(3) If withdrawal of the applicant county or city from the district is approved by the state board of health, an effective date shall be set for the action, and notification sent to:

- a.* The district board of health.
- b.* The board of supervisors of the applicant county.
- c.* The council of the applicant city.
- d.* The council of each city within the applicant county.

78.5(4) Any new district board of health members required by the revised plan shall be appointed prior to the effective date by the appropriate authorities, and shall take office on the effective date.

These rules are intended to implement Iowa Code section 137.9.

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