

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 498  
Committee Substitute Favorable 5/13/91  
Third Edition Engrossed 5/15/91

Short Title: Health Director Qualifications.

(Public)

Sponsors:

Referred to:

April 1, 1991

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE QUALIFICATIONS FOR THE POSITION OF  
LOCAL HEALTH DIRECTOR, AND TO ESTABLISH A HEALTH DIRECTOR  
QUALIFICATION REVIEW COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. Effective January 1, 1992, G.S. 130A-40 reads as rewritten:

**"§ 130A-40. Appointment of local health director.**

(a) A local board of health, after consulting with the appropriate county board or boards of commissioners, shall appoint a local health director. ~~The State Personnel Commission, after consulting with the Commission for Health Services, shall establish qualifications for a local health director. The qualifications shall give equal emphasis to education and experience. However, a local health director shall not be required to be a physician.~~ Effective January 1, 1992, all persons who are appointed to the position of local health director on or after that date, must possess minimum education and experience requirements for that position, as follows:

- (1) A medical doctorate; or
- (2) A masters degree in Public Health Administration, and at least one year of employment experience in health programs or health services;  
or
- (3) A masters degree in a public health discipline other than public health administration, and at least three years of employment experience in health programs or health services; or

- 1           (4) A masters degree in a field related to public health and at least three  
2           years of employment experience in health programs or health services;  
3           or  
4           (5) A bachelors degree in business administration and at least three years  
5           of employment experience in health programs or health services.

6           (b) Before appointing a person to the position of local health director under  
7 subsection (a)(4) of this section, the local board of health shall forward the application  
8 and other pertinent materials of such candidate to the Local Health Director  
9 Qualification Review Committee. If the Review Committee determines that the  
10 candidate's masters degree is in a field not related to public health, the Review  
11 Committee shall so notify the local board of health within 45 days of the Committee's  
12 receipt of the application and materials, and such candidate shall be deemed not to meet  
13 the education requirements of subsection (a)(4) of this section. If the Review  
14 Committee fails to act upon the application within 45 days of its receipt of the  
15 application and materials from the local board of health, the application shall be deemed  
16 approved with respect to the education requirements of subsection (a)(4), and the local  
17 board of health may proceed with its appointment process.

18           (c) When a local board of health fails to appoint a local health director within 60  
19 days of the creation of a vacancy, the State Health Director may appoint a local health  
20 director to serve until the local board of health appoints a local health director in  
21 accordance with this section."

22           Sec. 2. Chapter 130A of the General Statutes is amended by adding the  
23 following new section to read:

24 **"§ 130A-40.1. Local Health Director Qualification Review Committee.**

25           (a) A Local Health Director Qualification Review Committee is established  
26 within the Office of State Personnel to review the education qualifications of candidates  
27 for local health director positions under G.S. 130A-40(a)(4).

28           (b) The Office of State Personnel shall provide staff assistance to the Committee.

29           (c) The Committee shall consist of three members, one of whom shall be the  
30 Dean of the School of Public Health at the University of North Carolina, one of whom  
31 shall be the President of the Association of Local Health Directors, and one of whom  
32 shall be the State Health Director.

33           (d) The Review Committee shall meet within 30 days of notification from a local  
34 board of health requesting a determination on whether an applicant for the position of  
35 local health director under G.S. 130A-40(a)(4) meets the education requirements of G.S.  
36 130A-40(a)(4). The Review Committee shall act upon requests under its review within  
37 45 days of receipt of applications and pertinent materials from the local board of health,  
38 and shall notify the local board, in writing, of its decision within the 45-day period. The  
39 Review Committee shall, by majority vote, determine a candidate's qualification under  
40 subsection (a)(4) of this section based solely on whether the candidate's masters degree  
41 field is related to public health. If the Review Committee determines that a candidate's  
42 degree field is not related to public health, the Committee shall state the reasons therefor  
43 in its written decision to the local board.

1       (e) The Review Committee shall review requests of educational institutions to  
2 determine whether a particular masters degree offered by the requesting institution is  
3 related to public health for the purposes of G.S. 130A-40(a)(4). The Review Committee  
4 shall act upon such requests within 90 days of receipt of the request and pertinent  
5 materials from the institution, and shall notify the institution of its determination in  
6 writing within the 90-day review period. The determination shall be by majority vote of  
7 the Review Committee. If the Review Committee determines that an institution's  
8 particular masters degree is not related to public health, the Review Committee shall  
9 include the reasons therefor in its written determination to the institution."

10               Sec. 3. This act is effective upon ratification.