

WISCONSIN'S

Public Health Statutes

and

Administrative Rules



Department of Health Services

Division of Public Health

Objectives

- **Recognize the importance of Public Health Statutes and Rules**
- **Begin to understand regulations governing public health programs**
- **Become familiar with Local health department levels and required services**

Wisconsin Statutes

- Laws that establish the legal basis for public health in Wisconsin
- Created, amended or repealed by state legislature
- Stand on their own



Administrative Rules

- **Authorized by statute**
- **Provide further explanation and additional rules to the statutes**
- **Facilitate administration and enforcement of statutes**
- **Have the effect of law**

Local Ordinances

- A law or regulation made by a city or town government
- WI is a “Home Rule” state

Why are they important?

- Provide guidance and direction
- Provide authority
- Provide assurance



Direction

250.03 “Public Health System”

(1)The department **SHALL:**

- a) Maintain a public health system in cooperation with...(many partners)
- b) Serve as the state lead agency for public health.
- c) Assess the health needs in the state based on statewide data collection.
- d) Advise the legislature ... for health activities in the state.

Direction

- e) Establish statewide health objectives and delegate power to local health departments...
- f) Support local public health service capacity building through grants, consultation and technical assistance.
- g) Develop policy and provide leadership that fosters local government involvement and commitment, that emphasizes public health needs ...

Direction

- h) **Distribute state and federal public health funds ... for an integrated system of community health services.**
- i) **Require (these funds) at the local level, that services be coordinated.**
- j) **Advocate for ... public health services.**
- k) **Promote cooperation and collaborative agreements ...**

Authority and Assurance

250.04 (7) The department MAY

- **Promulgate and enforce rules and issue and enforce orders governing the duties of all local health officers and local boards of health relating to any subject matter under the department's supervision ... Whoever violates a rule or order specified under this subsection shall be fined ...**

Chapter 250 – Health: Administration and Supervision

- Requires the appointment of State Health Officer and Chief Medical Officers and describes duties
- Requires the Department to maintain a public health system
- Defines the powers and duties of the Department, and as a public health authority

Chapter 250 – Health: Administration and Supervision

- **Defines qualifications for public health nurses**
- **Defines public health planning requirement**
- **Requires appropriation of funds– Health Disparities Reduction or Elimination, Dental, CHCs, etc.**

Chapter 251 – Local Health Officials

Defines and/or Describes

- **LHDs, levels of service, jurisdiction, joint services, how financed**
- **Boards of health, its members, powers, duties**
- **Health officer qualifications and duties**
- **Gives the DHS rule making authority**

Administrative Rule DHS 139

Promulgated under Ch. 250 & Ch. 251

Qualifications of Public Health Professionals Employed by Local Health Departments

- **Health officers**
- **Public health sanitarians**
- **Directors of environmental health programs**
- **Public health nurses**
- **Directors of public health nursing programs**

Administrative Rule DHS 140

Promulgated under Ch. 251

Required Services of Local Health Departments

Defines the required services for:

- Level I LHD
- Level II LHD
- Level III LHD
- Designation of LHD level



Requires the department to direct a formal process to review LHDs

Administrative Rule DHS 140 Under Revision

- **Four year revision process**
- **Publication expected in June with an effective date of July 1st, 2019**
- **Advisory Committee comprised of local health officers and Wisconsin Counties Association provided rule language recommendations**
- **Rule will align with Foundational Public Health Services and National Public Health Performance Standards**

Chapter 252 – Communicable Diseases

- **Defines powers and duties of the Department and local health officers**
- **Authorizes the immunization program and compulsory vaccination during a state of emergency**
- **Requires reporting of communicable disease cases and authorizes isolation and quarantine**
- **Authorizes communicable disease prevention and control programs**

Administrative rules promulgated under Ch. 252

DHS 144 Immunization of students

DHS 145 Control of communicable
disease

DHS 146 Vaccine-preventable disease

SPS 221 Tattooing and body piercing

Chapter 253 – Maternal & Child Health

- **Requires the Department to maintain a MCH program; preparation of State Plan for MCH services**
- **Provides the authority for a state supplemental food program for women, infants and children (WIC)**

Chapter 253 – Maternal & Child Health

- **Provides the authority for family health programs**
- **Identifies responsibilities for Infant blindness; Newborn hearing screening and screening for congenital and metabolic disorders**
- **Identifies responsibilities related to Sudden infant death syndrome and Shaken baby syndrome and impacted babies**

Administrative rules promulgated under Ch. 253

DHS 115

**Screening of newborns for congenital
and metabolic disorders**

DHS 116

**Wisconsin birth defect prevention and
surveillance system**

DHS 149

**The special supplemental nutrition
program for women, infants and
children (WIC)**

DHS 151

Family Planning Fund Allocations

Chapter 254 – Environmental Health

- **Toxic Substances**
- **Radiation Protection**
- **Recreational Sanitation**
- **Animal-borne and vector-borne disease control**
- **Human Health Hazards**
- **Sale or Gift of Cigarettes or Tobacco Products to Minors**

Administrative rules promulgated under Ch. 254

DHS 157

Radiation protection

DHS 158

**Fee for monitoring radiation emissions
in the vicinity of nuclear power plants**

DHS 159

**Asbestos certification and training
accreditation**

DHS 163

**Certification for the identification,
removal and reduction of lead-based
paint hazards**

DHS 181

Reporting of blood lead test results

DHS 182

**Lead poisoning or lead exposure
prevention grants**

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**Restaurants, Retail Food, Lodging, Camping,
and Swimming Pools - Department of
Agriculture, Trade and Consumer Protection
(DATCP)**

**Body Art and Tattooing - Department of Safety
and Professional Services (DSPS)**

Chapter 255 – Chronic Disease & Injury

- **Chronic Disease Prevention, Assessment & Control**
 - Duties of state epidemiologist and of the Department
 - Cancer Reporting; Cancer control and prevention grants; cancer research program; drug repository; Well-woman program; State-wide tobacco prevention and control programs
- **Injury Prevention & Control**

Administrative rules promulgated under Ch. 255

DHS 147 **Cancer Control Grants**

SPS 220 **Tanning facilities**

DHS 199 **Tobacco control activities**

Resources

WI State Legislature: www.legis.state.wi.us

WI State Statutes:

<http://docs.legis.wisconsin.gov/statutes>

WI Administrative Code:

<http://docs.legis.wisconsin.gov/code>

Resources

Administrative Rules Rulemaking:

<https://health.wisconsin.gov/admrules/public/Home>

Department of Health Services Rules:

www.dhs.wisconsin.gov/rules/index.htm

Division of Public Health:

<https://www.dhs.wisconsin.gov/lh-depts/health-officers/ph-statutes.htm>

Resources

Network for Public Health Law:

www.networkforphl.org

CDC's Public Health Law Program:

www.cdc.gov/phlp

Corporation Counsel