

CHAPTER 141.

LOCAL HEALTH OFFICIALS.

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141.01 County health commission. (1) Unless a county has a county health department organized under s. 140.09 or the entire area of a county has local boards of health under s. 141.015, 141.02 or 141.04, or the county has a population of 500,000 or more, the county board may provide for a county health commission which shall:

(a) Replace all town health boards and officers,
 (b) Act in cities and villages which do not operate a board of health or have a health officer.

(2) Such commission shall consist of:

(a) Not less than 5 members of the county board and the district health officer, ex officio; or

(b) Not less than 5 nor more than 7 members: One a member of the county board; 2 physicians practicing in the county to be selected from a list of 5 physicians submitted by the county medical society; one dentist practicing in the county to be selected from a list of 3 dentists submitted by the county dental society; the remainder to be residents of the county, men or women, who are persons of ability and known to have a broad social viewpoint and a serious interest in the health protection of their community, and the district health officer, ex officio. The first appointee to serve one year; the second 2 years; the third 3 years; the fourth 4 years; the fifth 5 years; the sixth, if any, one year; the seventh, if any, 2 years; and their successors shall each serve for 5 years.

(c) The appointments shall be made by the chairman of the county board.

(3) (a) Unless the manner of appointment is otherwise provided for by ordinance, the commission shall elect a chairman and a clerk, and employ a health director, and may employ one or more sanitarians under s. 140.45 (3). The director shall receive an annual salary to be fixed by the county board and shall receive his actual and necessary expenses. If the appointee is not a physician, the commission shall arrange for and provide in addition such services of a physician as may be necessary on either a part-time or a full-time basis and provide reasonable compensation therefor.

(b) The commission shall be supplied with record books, quarantine cards and other materials needed to carry out its functions. Unless such materials are provided by the state board, their costs shall be paid for by the county.

(4) The commission shall have jurisdiction over the areas of the county which do not have boards of health as provided in s. 141.015, 141.02 or 141.04.

(5) The commission shall take such measures as shall be most effectual for the preservation of the public health.

(6) The director under the direction of the district health officer shall:

(a) Make an annual sanitary survey and maintain continuous sanitary supervision over his territory.

(b) Make a sanitary inspection periodically of all school buildings and places of public assemblage, and report thereon to those responsible for the maintenance thereof.

(c) Promote the spread of information as to the causes, nature and prevention of prevalent diseases, and the preservation and improvement of health.

(d) Take steps necessary to secure prompt and full reports, by physicians of communicable diseases, and prompt and full registration of births and deaths.

(e) Enforce the health laws and the rules of the state board.

(f) Keep and deliver to his successor a record of all his official acts.

(g) The director and the clerk shall report to the state board as required. They shall also submit the report of their transactions to the state board.

(7) The county health commission when established in any county shall have all the powers now vested in local boards of health and local health officers and shall designate filing officers to replace those superseded by this section.

(8) No services shall be performed by the county health commission for any political

subdivision in a county which does not contribute toward the support of the county health commission.

(9) If the county board does not provide for a county health commission every town board shall, within 30 days after each election of officers, organize as a board of health or appoint wholly or partially from its own members, a suitable number of competent persons as a board of health for such town. The board of health shall elect a chairman, a clerk and a health officer who shall be ex officio a member of such board with voting power and its executive officer and take the oath of office. The health officer shall hold office for 2 years. The town board of health and health officer shall have the powers and duties authorized for the county health commission and health director in this section.

History: 1961 c. 563, 607.

141.015 City and village boards of health. (1) Unless a county health commission is created under s. 141.01 and the village or city elects to come under the jurisdiction of the county health commission, the board or council of any village or city shall, after the first meeting of the board or council following the effective date of this section (1961), provide for a board of health. In such villages and cities the board or council shall appoint wholly or partially from its own members, a suitable number of competent persons as its board of health.

(2) "Health officer" as used in this chapter means the officer performing the duties thereof regardless of his designation.

(3) In case the board or council fails to appoint a board of health the county health commission shall perform the health services in such village or city.

(4) Unless the manner of appointment is otherwise provided for by ordinance, the board of health shall elect a chairman, a clerk and a health officer who shall be ex officio a member of such board and its executive officer and take the oath of office. If a vacancy in the position of health officer occurs, the board of health shall immediately fill the same. The board shall immediately report to the county health commission and the state board the names, post-office addresses and occupations of the officers thereof, and any changes therein. The health officer shall receive an annual salary to be fixed by the city council or the village board and shall receive his actual and necessary expenses. If the appointee is not a physician, the board of health shall arrange for and provide in addition such services of a physician as may be necessary on either a part-time or full-time basis and provide reasonable compensation therefor.

(5) Whenever a health officer fails to perform the duties of his office and assist the state board, the appointing board, either upon its own initiative or upon recommendation of the state board, shall discharge such officer and immediately select a new officer.

(6) The board shall take such measures as shall be most effectual for the preservation of the public health.

(7) The board may appoint persons to aid them and regulate their charges.

(8) The health officer under the direction of the district health officer shall perform the duties specified in s. 141.01 (6).

(9) All record books, quarantine cards and other material needed by the board, except such as is furnished by the state board, shall be supplied by the health officer at municipal expense, upon order of the board.

(10) The health officer and the clerk shall report to the state board as required. They shall also submit a report of their transactions to the state board.

(11) Physicians acting and receiving compensation as health officers in all cities and villages, except cities having a population of 25,000 or more, may also hold office as city physicians.

(12) Health officers in cities having a population of less than 25,000 and in villages and hospitals in which they have an interest shall be permitted to give medical services or hospitalization, or both, to persons receiving poor relief or medical aid for such municipalities and receive compensation from such persons therefor.

(13) In cities having a population of 39,000 or more the health officer shall be a physician, or a person with training and experience in public health administration which shall meet the training and experience requirements established by the state board.

(14) No part of any expense incurred by a county health commission shall be levied against any property in any city or village which operates its own board of health or has a health officer or provides health services jointly with another city or village under s. 141.04.

History: 1961 c. 563.

141.02 City health officer. (2) If so provided by local ordinance, the board of health may be dispensed with and the powers and duties thereof vested in a full-time health officer to be appointed by the mayor. Such health officer shall be a physician, or in lieu thereof, a person with training and experience in public health administration which shall meet training and experience requirements established by the state board of health. The health officer shall provide such additional rules and regulations as are necessary for the preservation of health, to prevent the spread of communicable diseases, and to cause the removal of all objects detrimental to health and to enforce the health laws. All proposed rules and regulations shall be reported to the council by him, and if the council approves the same by a vote of a majority of its members, they shall have the force and effect of ordinances, including penalty for violation. He shall from time to time recommend to the council such sanitary measures, to be executed by the city as seem necessary, and shall discharge such other duties as may be imposed upon him by the council by ordinance or resolution.

(3) The police and all magistrates and other civil officers and all citizens shall aid, to the utmost of their power, the officer in the discharge of his duties, and on his requisition the chief of police shall serve or detail one or more policemen to serve the notices issued by the officer and to perform such other duties as he may require.

(4) The officer may appoint assistants subject to confirmation by the mayor, and they shall receive such compensation as the council may fix.

(5) (a) The commissioner of health of any city of the first class however incorporated, shall be one who holds the degree of doctor of public health, or is a graduate of a recognized medical college, and has had not less than one year of practical experience in public hygiene and sanitation.

(b) He shall appoint a deputy commissioner of health, who shall have the same qualifications. Such appointment shall not be subject to the civil service law applicable to the city.

(c) The deputy shall file the official oath and bond in such amount and with such sureties as the council may direct.

(d) The deputy may do all the acts required to be done by the commissioner, and he shall in case of vacancy or of the sickness or absence of the commissioner act in his place, and be subject to the same liabilities and penalties.

141.04 Joint services. Towns, villages and cities jointly may provide health services as agreed upon under s. 66.30.

History: 1961 c. 563.

141.045 Public health nurses. (1) The qualifications of all public health nurses hereafter entering such employment shall be prescribed by rules adopted by the state board of health upon recommendation of a committee of 3 members, one selected by the state board of health, one by the state board of nursing, and one by the state superintendent of public instruction. This committee shall be known as the certification committee for public health nurses. All public health nurses shall be registered nurses as provided in ch. 149, but practical nurses may be employed by health agencies under the supervision of a certified public health nurse to perform services for which licensed.

(2) The state board of health, upon recommendation of the certification committee, shall issue certificates to nurses meeting such qualifications. It may issue temporary certificates to nurses in the process of meeting those qualifications.

(3) Every agency employing one or more public health nurses shall submit a written report monthly of work done on prescribed forms to the state board of health. The state board of health shall examine the report and make recommendations for the improvement and the development of the nursing service. This subsection shall not apply to cities of the first class.

(4) The state board of health shall recommend other record and report forms and notify the nurses where they can be purchased.

(5) The state board of health may revoke or suspend a certificate of any public health nurse who has been guilty of unprofessional or dishonest conduct or is grossly incompetent, or whose certificate was obtained through error or fraud, or whose certificate as a registered nurse has been revoked or suspended. Except where the public health nurse's certificate as a registered nurse has been revoked or suspended, no certificate as a public health nurse shall be revoked or suspended until after a public hearing conducted by the state board of health. Written notice of such hearing shall be given to the public health nurse at least 10 days before the time fixed for such hearings.

141.05 Local public health nurses. (1) The local board of health or health officer may employ public health nurses within the limits of the appropriation made therefor

by the municipality and such nurses shall possess the qualifications required by s. 141.045. They shall work under the direction of the board of health and health officer and shall conduct a generalized public health nursing program in co-operation with the state board of health.

(2) Towns, villages and cities may employ public health nurses jointly, salary and other expenses to be paid jointly as agreed upon or in proportion to population.

History: 1961 c. 563.

141.06 County public health nurses. (1) The county health committee may employ one or more county public health nurses, when so authorized by the county board, to conduct a generalized public health nursing program pursuant to the direction and under the supervision of the county health committee in co-operation with the state board of health.

(2) The work of the county nurse shall be directed by a county health committee composed either of the chairman of the county board, the county superintendent of schools, a woman appointed by the county board, the judge of the juvenile court and the district health officer or county physician for that county, or of the district health officer and not less than 5 members of the county board appointed by the chairman thereof.

(3) The county board shall fix the salary of the county nurse and make necessary appropriations to carry out the provisions of subsection (1); provided, that the county board may at any time discontinue the services of the county nurse at the expiration of her contract.

141.065 State aid for county nurses. There shall be paid annually to each county in which one or more certified county public health nurses are employed pursuant to section 141.06, the sum of one thousand dollars. The county clerk shall certify to the state board of health upon request the number of county nurses employed by the county and the period of their employment.

141.07 Dental clinics. Any county may establish and maintain a dental clinic or clinics to be operated under rules adopted by the county health committee named under section 141.06. Monthly reports shall be made by the director of said clinic or clinics pursuant to section 141.045 (3) on blanks prescribed by the state board of health.

141.10 Home nursing care. (1) **AUTHORITY.** County boards of supervisors or city councils may authorize their respective county health committee or county or city board of health to establish programs of home nursing care, including rehabilitative nursing services, to employ additional nurses as provided in s. 141.045, and to collect fees for such services to ill or disabled persons. The county health committee or board of health authorized to establish a program of home nursing care shall develop a plan of operation in consultation with a representative of the state board of health and the county medical society. The representatives of the state board of health and county medical society shall be invited to provide advice and guidance on the operation of the program. Home nursing care shall be provided under the direction of a licensed physician of the patient's choice.

(2) **FEES FOR NURSING CARE ONLY.** A fee may be established and collected only for nursing care to the sick in their place of residence. Visits for health instruction and supervision, when counseling or demonstration care only are indicated, shall be given without charge as part of the established program of public health nursing.

(3) **FEE SCHEDULE.** A schedule of fees shall be established:

(a) As a result of a cost study conducted at least every 3 years and filed as required with the state board of health after approval by the county board or city council; or

(b) By the adoption of a schedule of fees established by the state board of health from information gathered by it.

(4) **CHARGES.** Persons receiving such home nursing care shall not be charged fees in excess of the scheduled costs, and shall be charged according to their ability to pay full or part costs as determined by the policy of the county health committee or board of health. No person shall be denied necessary services, within the limits of available personnel, because of inability to pay the cost of such service. The county board or city council shall determine the procedure for collecting and depositing fees and auditing receipts.

(5) **CONTRACTS WITH OTHERS.** Any county or city health department or nursing service authorized to establish a plan of home nursing care may contract with public, private or voluntary agencies to provide home nursing care to clients of such agencies.

(6) **GIFTS AND GRANTS.** Counties and cities under this plan may accept grants, bequests and gifts for the development and expansion of home nursing services to patients.

History: 1961 c. 564.