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Chapter DHS 139

QUALIFICATIONS OF PUBLIC HEALTH PROFESSIONALS EMPLOYED BY LOCAL HEALTH DEPARTMENTS

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Note: Chapters H 106 and HSS 155 as they existed on November 30, 1984 were repealed and a new Chapter HSS 139 was created effective December 1, 1984. Chapter HSS 139 was renumbered chapter HFS 139 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, June, 1997, No. 498. Chapter HFS 139 was repealed and recreated, Register, July, 1998, No. 511, eff. 8-1-98. Chapter HFS 139 was renumbered chapter DHS 139 under s. 13.92 (4) (b) 1., Stats., and corrections made under s. 13.92 (4) (b) 7., Stats., Register January 2009 No. 637.

DHS 139.01 Authority and purpose. This chapter is promulgated under the authority of ss. 250.04 (7), 250.06 (1) and 251.06 (3) (e), Stats., to prescribe qualifications for certain professional employees of local health departments.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98.

DHS 139.02 Applicability. This chapter applies to local governments that operate health departments established under s. 251.02, Stats., to local boards of health that govern local health departments, and to persons applying for appointment as or employed as a local health officer, public health sanitarian, director of environmental health program, public health nurse or director of a general public health nursing program employed by a local health department.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98.

DHS 139.03 Definitions. In this chapter:

(1) "Department" means the Wisconsin department of health services.

(2) "Director of environmental health program" means the person in charge of planning, directing, supervising and evaluating the environmental health services program for a local health department.

(3) "Director of public health nursing program" means the person in charge of planning, directing, supervising and evaluating the general public health nursing services program for a local health department.

(4) "Local health department" means an agency of local government that takes any of the forms specified in s. 250.01 (4), Stats.

(5) "Local health officer" means the person in charge of a local health department including general administration and the supervision of personnel who direct or carry out public health nursing and environmental health programs and other programs or units of the local health department.

(6) "Public health nurse" means a person employed by a local health department to provide public health nursing services who is licensed as a registered professional nurse under ch. 441, Stats., and who is qualified under s. DHS 139.08.

(7) "Public health sanitarian" means a sanitarian as defined in s. 440.98 (1) (b), Stats., who applies biological, chemical and public health principles to control, eliminate, ameliorate or prevent environmental health hazards, is employed by a local health department and is qualified under s. DHS 139.06.

(8) "State health officer" means the individual appointed under s. 250.02 (1), Stats., by the secretary of the department to develop public health policy for the state and direct state public health programs.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98; corrections in (1) and (7) made under s. 13.92 (4) (b) 6. and 7., Stats., Register January 2009 No. 637.

DHS 139.04 General requirement. (1) Except as provided in sub. (2), no person may be employed or may continue to be employed by a local health department to perform the duties of a local health officer, public health sanitarian, public health nurse, director of environmental health program or director of public health nursing program unless he or she meets the qualifications set forth in this chapter. The state health officer may, on his or her own initiative or upon request, review the qualifications of persons applying for or functioning in positions described in this chapter, and may advise the employing unit whether it considers a person applying for or functioning in a position described in this chapter to be qualified or not under this chapter.

(2) Persons employed by local health departments on December 1, 1984 are exempt from the provisions of sub. (1) with the approval of the state health officer.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98.

DHS 139.05 Local health officers. A local health officer shall meet the appropriate qualifications under s. 251.06 (1) and (2), Stats.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98.

DHS 139.06 Public health sanitarians. A public health sanitarian shall be qualified in one of the following ways:

(1) By being currently registered as a sanitarian under chs. SPS 174 to 177.

(2) By meeting the training requirement under chs. SPS 174 to 177 and either having or being in the process of acquiring the corresponding work experience that is a prerequisite for taking the registered sanitarian examination under chs. SPS 174 to 177.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98; correction in (1) and (2) made under s. 13.93 (2m) (b) 7., Stats., Register, June, 2001, No. 546; corrections in (1) and (2) made under s. 13.92 (4) (b) 7., Stats., Register January 2009 No 637; corrections in (1), (2) made under s. 13.92 (4) (b) 7., Stats., Register March 2011 No. 663; correction in (1), (2) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

DHS 139.07 Directors of environmental health programs. The director of an environmental health program shall be one of the following:

(1) A public health sanitarian who is registered under chs. SPS 174 to 177 and has 3 or more years of progressively responsible full-time experience in a general environmental health program in a public health agency.

(2) A public health sanitarian who is registered under chs. SPS 174 to 177, with a masters degree in environmental health,

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public health, public health administration, health administration or a similar field, and has 2 or more years of full-time experience in a general environmental health program in a public health agency.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98; correction in (1) and (2) made under s. 13.93 (2m) (b) 7., Stats., Register, June, 2001, No. 546; corrections in (1) and (2) made under s. 13.92 (4) (b) 7., Stats., Register January 2009 No 637; corrections in (1), (2) made under s. 13.92 (4) (b) 7., Stats., Register March 2011 No. 663; correction in (1), (2) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

DHS 139.08 Public health nurses. A public health nurse, in addition to being licensed as a registered nurse under ch. 441, Stats., shall have one of the following:

(1) A bachelor's degree from a nursing program approved by the board of nursing under s. 441.01 (3), Stats., and ch. N 1, or accredited by the national professional nursing education accrediting organization. The program shall include preparation in public health nursing or community health nursing.

(2) A master's degree from a nursing program accredited by the national professional nursing education accrediting organization. The program shall include preparation in public health nursing or community health nursing.

(3) A public health nurse certificate issued by the department prior to December 1, 1984.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98.

DHS 139.09 Directors of public health nursing programs. The director of a public health nursing program shall be one of the following:

(1) A public health nurse who meets the requirements in s. DHS 139.08 (1) and has 3 or more years of progressively responsible full-time experience in a general public health nursing program in a public health agency.

(2) A public health nurse who meets the requirements in s. DHS 139.08 (1) with a master's degree in nursing, public health, public administration, health administration or a similar field, and who has 2 or more years of full-time experience in a general public health nursing program in a public health agency.

(3) A person employed on April 1, 1988 as the director of a public health nursing program who received a public health nurse certificate issued by the department prior to December 1, 1984.

History: Cr. Register, July, 1998, No. 511, eff. 8-1-98.

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