

Oregon State Law to Local Authority

Oregon Administrative Rules

Oregon Revised Statutes (ORS)

Administration and Enforcement of Public Health Laws

State

Local

Governing Laws and Rules

- Laws governing the activities and scope of the Public Health Division are defined in the Oregon Revised Statutes (ORS)
- The Oregon Administrative Rules (OAR) determine how those laws will be implemented
- 41 Statutes that govern various aspects of public health
 - ORS Chapter 431 – State and Local Administration and Enforcement of Public Health Laws
- OAR Chapter 333 – Public Health Division

ORS Chapter 431 – State and Local Administration and Enforcement of Public Health Laws

431.003 Definitions.

(3) “Governing body of a local public health authority” means:

- (a) The governing body of a county;
- (b) A board described in ORS 431.443 (2);
- (c) A board established under ORS 431.443 (3); or
- (d) The board of an intergovernmental entity created by an agreement pursuant to ORS 190.010 (5) for the purpose of providing public health services.

(4) “Local health department” means the agency established by the local public health authority that is responsible for administering public health programs and public health activities within the local public health authority’s jurisdiction.

(6) “Local public health administrator” means an individual appointed under ORS 431.418 to supervise the public health programs and public health activities of a local health department.

(7) “Local public health authority” means:

(a) A county government;

(b) A health district formed under ORS 431.443; or

(c) An intergovernmental entity that provides public health services pursuant to an agreement entered into under ORS 190.010 (5). [2015 c.736 §2; 2019 c.321 §5]

Local Authority to Local Administrator

Board of County Commissioners

Local Public Health Authority

Appoint Local
Public Health
Administrator

PHAC

Ordinances

Fees

Local Public Health Authorities

- 431.413 describes the powers and duties of local public health authorities
- Implement foundational capabilities and programs
- Support the goals of public health modernization through assessment, evaluation and implementation of the local modernization plan
- Coordinate with key organizations
 - CCOs
 - Early Learning Hubs
- Impose civil penalties and enforce ordinances and rules
- Other duties imposed by law

Governing Bodies of Local Public Health Authorities

- 431.415 outlines the duties of governing bodies of local public health authorities
- Develop public health policies and goals for the LPHA
- Adopt ordinances and rules necessary for implementing foundational capabilities and programs
- Adopt civil penalties for violations of ordinances and rules
- Review and make recommendations on the local modernization plan
- Monitor the progress of the LPHA in meeting statewide and local public health goals

How Is This Operationalized In Washington County

- The Washington County Health and Human Services, Public Health Division is the local public health authority
- The Board of Commissioners acts as the governing body of the LPHA
- The Public Health Division is responsible for operationalizing the requirements outlined in the ORS
- The Board of Commissioners is responsible for overseeing the work of the Public Health Division and working with the Division to develop policies and adopt local ordinances and rules that support the goals of public health

Example: Washington County Ordinance 878

Staff Report to BCC on Need to Update Ordinance 599

Public Health Advisory Board Support Ordinance 878

BCC Amend and Adopt Ordinance as Local Public Health Authority

Local Public Health Administrator
(Education & Enforcement - Class A civil infraction under WCC Chapter 1.12.)

Designate Enforcement Authority to
Senior Environmental Health Specialist

431.447 Public health advisory boards.

The governing body of a local public health authority may appoint a public health advisory board for terms of four years, with terms expiring on February 1, except that the first appointments made under this section shall be for terms of one, two, three or four years, as designated by the governing body. The advisory board shall meet regularly to advise the governing body of the local public health authority on matters of public health. The advisory board shall consist of:

(1) Persons licensed by this state as health care practitioners.

(2) Persons who are well informed on public health matters.

[Formerly 431.412]