

 <span style="font-size: 24pt; font-weight: bold; margin-left: 20px;">Public Health</span>	
Policy Name:	Compliance with Public Health Laws and Regulations
Policy Number:	BOH-004
Effective Date:	11/10/2012

**Policy:**

The Durham County Board of Health (BOH) and Durham County Department of Public Health (DCoDPH) ensures that its workforce consults and follows Federal, State and local laws and regulations, and the most current recommendations of regulating advisory agencies in the delivery of essential and mandated public health services.

The BOH and DCoDPH workforce must follow laws, established guidelines, and consistently follow procedure to assure that the public receives fair, efficient and effective services.

The BOH must consult legal counsel such as the Durham County Attorney, the North Carolina Attorney General or the University of North Carolina, School of Government whenever legal assistance is indicated to interpret laws and rules.

Division Directors must develop policies and procedures to assure effective and efficient service delivery within the scope of the most current public health practice.

Workforce access to North Carolina General Statutes related to public health law will be through the North Carolina General Assembly website, <http://www.ncga.state.nc.us/gascripts/statutes/statutesoc.pl> and North Carolina Administrative Code at the North Carolina Office of Administrative Hearings website, <http://reports.oah.state.nc.us/ncac.asp>. Supervisors shall inform the workforce of how to access the statutes and administrative codes applicable to their job.

**Purpose:**

The purpose of this policy is to ensure that the BOH and the DCoDPH workforce consults and follows Federal, state, and local laws and regulations as well as the most current recommendations

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of regulating and advisory agencies in the delivery of essential and mandated public health services.

**Scope:** The scope of this policy is the DCHD workforce and governing body.

**Procedure:**

1. DCoDPH relies on the BOH to set public health policy and rules and to guide decision making related to public health practice, as required by NCGS 130-A, Article 2.
2. DCoDPH observes applicable laws and regulations when dispersing and utilizing funds that support Public Health programs (NCGS 159, NCGS 130A, Article 1, 10A NCAD 45A, 10A NCAD 46, NC Session Law 2001-424), North Carolina Medical Assistance eligibility manuals and ICD-9/CPT/HCPCS Manual.
3. DCoDPH Administration follows the applicable laws, and licensing and certifying bodies for the process of hiring, training and ensuring the credentials and competence of the public health workforce. (i.e., NCGS 90, NCGS 90A, NCGS126, NCGS 130A, 25 NCAC Chapter 01, 21 NCAC), and Durham County Personnel Policy.
4. DCoDPH ensures confidential information is protected and public information is available when requested, (i.e., examples of documents that address confidentiality and public records are 45 CFR parts 160 and 164, the HIPAA Privacy Rule; NCGS 130A, NCGS 122C, NCGS 132 various chapters 10A NCAC) and North Carolina health information management Legal Reference manual).
5. DCoDPH ensures that services are available to everyone regardless of race, color, national origin, sex, religion, age or disability. (Federal Civil Rights Act of 1964 and Title IV of the Civil Rights Act of 1964 and Title II of the Americans with Disabilities Act).
6. DCoDPH ensures the safety and wellbeing of the workforce, (Occupational Safety and health Act, 29 CFR Part 1910, 13 NCAC 7A and F, North Carolina Occupational Safety and Health Standards for General Industry, February 1, 2001.
7. The workforce utilizes the appropriate laws, rules and manuals and other applicable publications in providing essential public health services as outlined in 10A NCAC. See Attachments 1 &2.

**REFERENCES:**

- United States Code of Federal Regulation  
<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl>

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- North Carolina Administrative Code  
<http://reports.oah.state.nc.us/ncac.asp>
- North Carolina General Statutes  
<http://www.ncga.state.nc.us/gascripts/statutes/statutesoc.pl>
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**CHANGE HISTORY:**

<b>Version</b>	<b>Date</b>	<b>Comments</b>
A	11/10/2012	Original document.
	12/11/2013	Reviewed and approved by the BOH
	12/11/2014	Reviewed and approved by the BOH
	12/12/2015	Reviewed and approved by the BOH
	8/10/2017	Revision to the BOH Policy on Policies, to set the annual policy review period to the first quarter (July –September) of each new fiscal year.
	8/30/2019	Removed attachments and reference documents that were no longer available.
Annual Review Due Dates	12/11/2013; 12/11/2014; 12/12/2015; 8/10/2017; 10/2/2018	

Approved By:  <hr/> Chair, Board of Health  <hr/> InterimHealth Director	Program Area(s) Affected:  All DCoDPH Programs
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