

**Worksheet for Assessing Local Boards of Health and Orienting  
New Members to Statutory Powers and Duties  
50-2-116 MCA**

**50-2-116 MCA.** The Boards **shall** :

1. Appoint a local health officer.

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2. Elect a presiding officer and other necessary officers

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3. Employ qualified staff

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4. Adopt bylaws

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5. Hold regular meetings, at least quarterly

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6. Supervise destruction and removal of all sources of filth that cause disease – this needs to be defined by the committee. A policy should be developed to:

- a. Outline who is responsible for follow-up; the point of contact.
  - b. Who will be involved in the decision of destruction?
  - c. General guidelines on how the health department will be involved and when.
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7. Guard against the introduction of communicable disease – New definition of “communicable disease” is an illness due to a specific infectious agent or its toxic products that arise through transmission of that agent or its products from an infected person, animal or inanimate reservoir to a susceptible host; either directly or indirectly through an intermediate plant or animal host, vector or the inanimate environment. What methods are in place to involve the board?

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8. Supervise inspections of public establishments for sanitary conditions- Is there a policy in place that shows the Boards supervision of the inspection process?

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9. Adopt necessary regulations that are not less stringent than state standards subject to the provisions of 50-2-130. These standards relate to the control and disposal of sewage from private and public buildings.

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The Board **may**:

1. Adopt and enforce isolation and quarantine measures to prevent the spread of communicable diseases.

a. The definition of "Isolation" is the physical separation and confinement of an individual or groups of individuals who are infected or reasonably believed to be infected with a contagious or possibly contagious disease from non-isolated individuals, to prevent or limit the transmission of the disease to non-isolated individuals.

b. The definition of "Quarantine" is the physical separation and confinement of an individual or groups of individuals, who are or may have been exposed to a contagious disease, from non-quarantined individuals, to prevent or limit the transmission of the disease to nonquarantined individuals. Is there a policy in place to ensure a consistent and efficient use of this power?

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2. Furnish treatment for persons who have communicable disease.

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3. Prohibit use of places that are infected with communicable disease.

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4. Require and provide means for disinfecting places that are infected.

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5. Accept and spend funds

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5. Contract with another local board for all or a part of board duties - Is there a contract in place for this?

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7. Reimburse the health officer – Is there a contract in place?

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8. Abate nuisances affecting public health and safety – See #6 under “the Board shall section”

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9. Adopt necessary fees to administer regulations for the control and disposal of sewage.

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10. Adopt rules in the following areas that do not conflict with rules adopted by the department:

- a. The removal of filth that might cause disease
- b. Subject to the provisions of 50-2-130 on sanitation in public buildings that affects public health \_\_\_\_\_

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- c. Rules for heating, ventilation, water supply and waste disposal in public accommodations that might endanger human lives \_\_\_\_\_

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- d. Subject to the provisions of 50-2-130 for the maintenance of sewage treatment systems that do not discharge an effluent directly into state waters and that are not required to have an operating permit as required by rules adopted under 75-5-401 MCA. \_\_\_\_\_

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- e. For the regulation of the practice of tattooing. This includes registering, inspecting, adopting fees, and assessing sanitation standards. \_\_\_\_\_

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11. Adopt regulations for the establishment of institutional controls that have been selected or approved by:
  - a. The Environmental Protection Agency (EPA) as part of a remedy for a facility under the federal Comprehensive Environmental Cleanup and Response, Compensation, and Liability Act of 1980.
  - b. DEQ as part of a remedy for a facility under the Montana Comprehensive Environmental Cleanup and Responsibility Act.

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