



Michigan's Public Health Code and Sharing Public Health Services

Andy Baker-White, JD, MPH

Benzie-Leelanau District Health Department Plan of Organization
Committee

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Spectrum of Cross-Jurisdictional Sharing Arrangements

Informal and Customary Arrangements	Service-Related Arrangements	Shared Functions with Joint Oversight	Regionalization
<ul style="list-style-type: none"> ● “Handshake” ● MOU ● Information sharing ● Equipment sharing ● Coordination 	<ul style="list-style-type: none"> ● Service provision agreements ● Mutual Aid Agreements ● Purchase of staff time 	<ul style="list-style-type: none"> ● Joint projects addressing all jurisdictions involved — ongoing or episodic ● Shared capacity, e.g., epidemiology covering all jurisdictions ● Inter-local agreements 	<ul style="list-style-type: none"> ● Creation of a new local public health entity by merging two or more existing local public health agencies ● Consolidation of one or more local public health agencies into an existing local public health agency

Public Health Code

County health department §333.2413

Except when a district health department is formed, the **local governing entity** of a county (i.e., county board of commissioners) shall provide for **a county health department.**

Public Health Code

Creation of district health department §333.2415

Two or more counties . . . by a **majority vote of each local governing entity** and with **approval of MDCH**, may unite to create a **district health department.**

Public Health Code

Local health officer appointment §333.2428

A local health department shall have a **full-time** local health officer appointed by the **local governing entity** (e.g., county board of commissioners) or in case of a district health department by the **district board of health**.

County Health Department A

Board of
Commissioners

County Health Department B

Board of
Commissioners

District Health Department

County
A

District Board
of Health

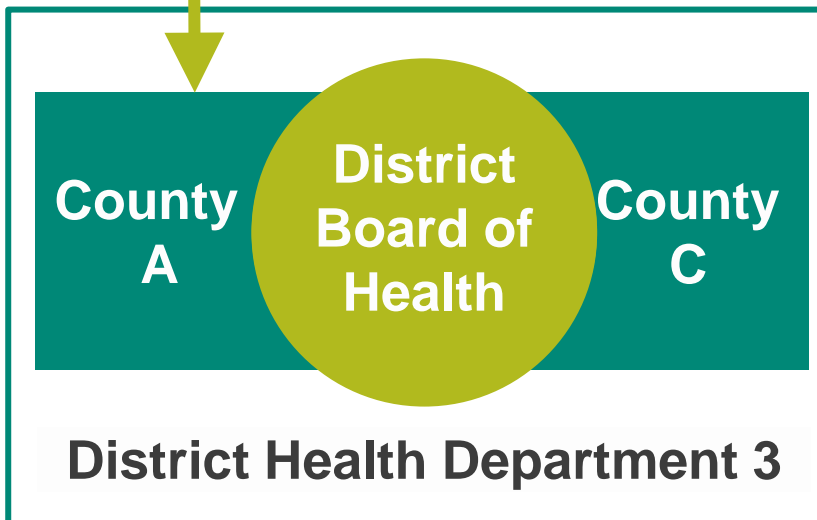
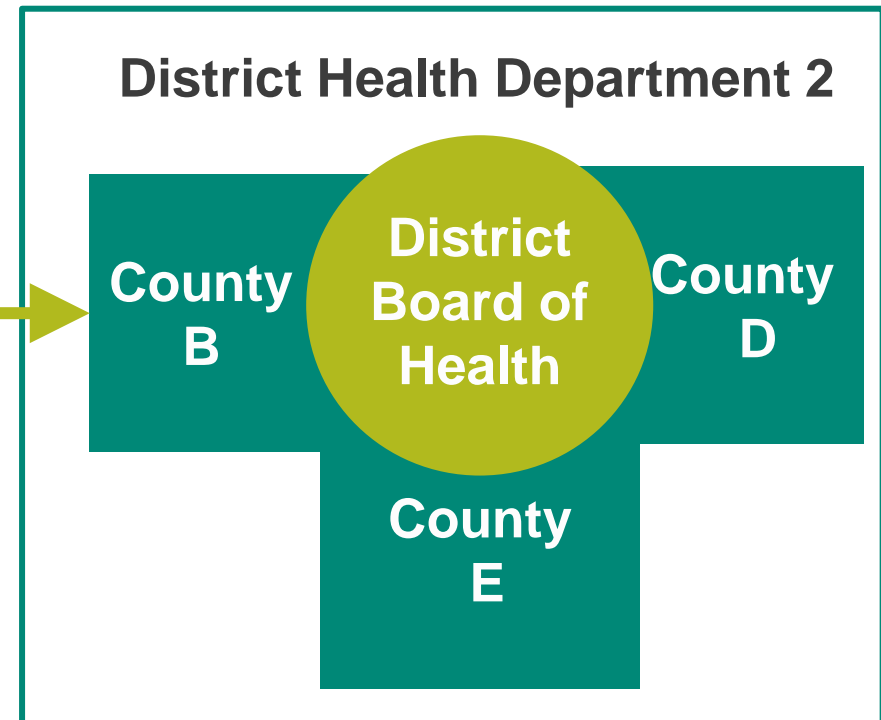
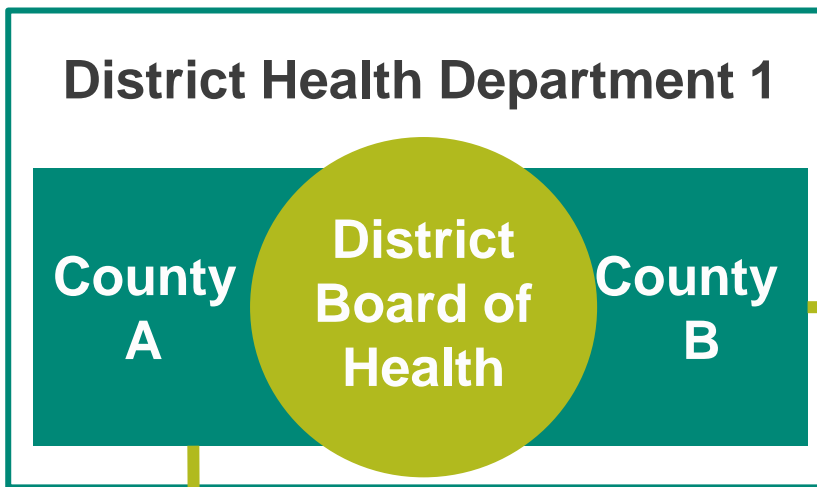
County
B

Intergovernmental agreements

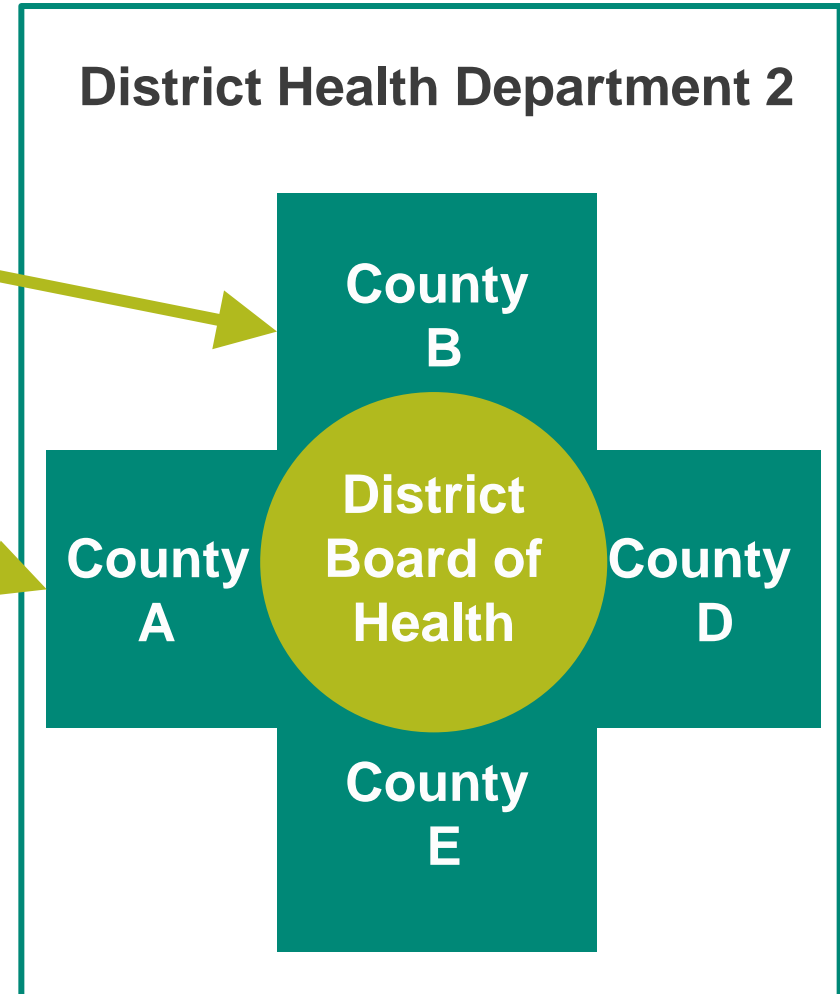
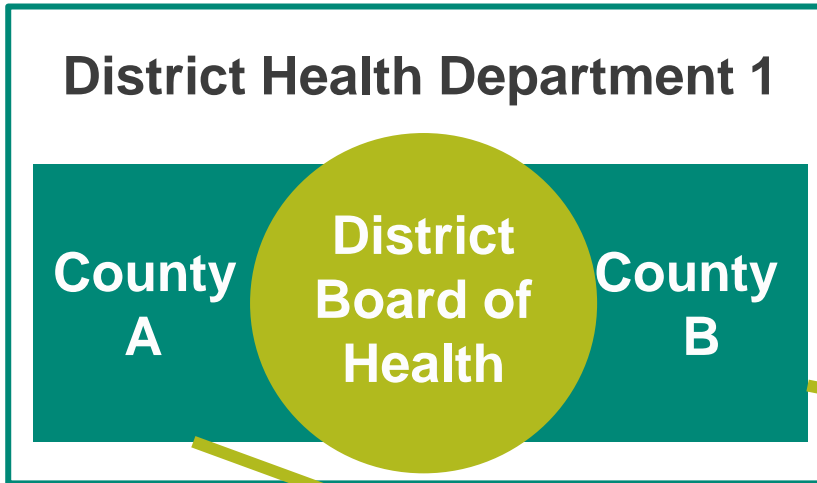
Urban Cooperation Act §§124.502, 124.505

Permits the “**joint exercise of powers**” between a “**public agency**” and any other public agency in Michigan, other states, Canadian and U.S. public agencies.

Interlocal agreement to describe purpose, duration, organization and composition of administrative entity, manner of financial support, manner of funding distribution, the adjudication of disputes, etc.

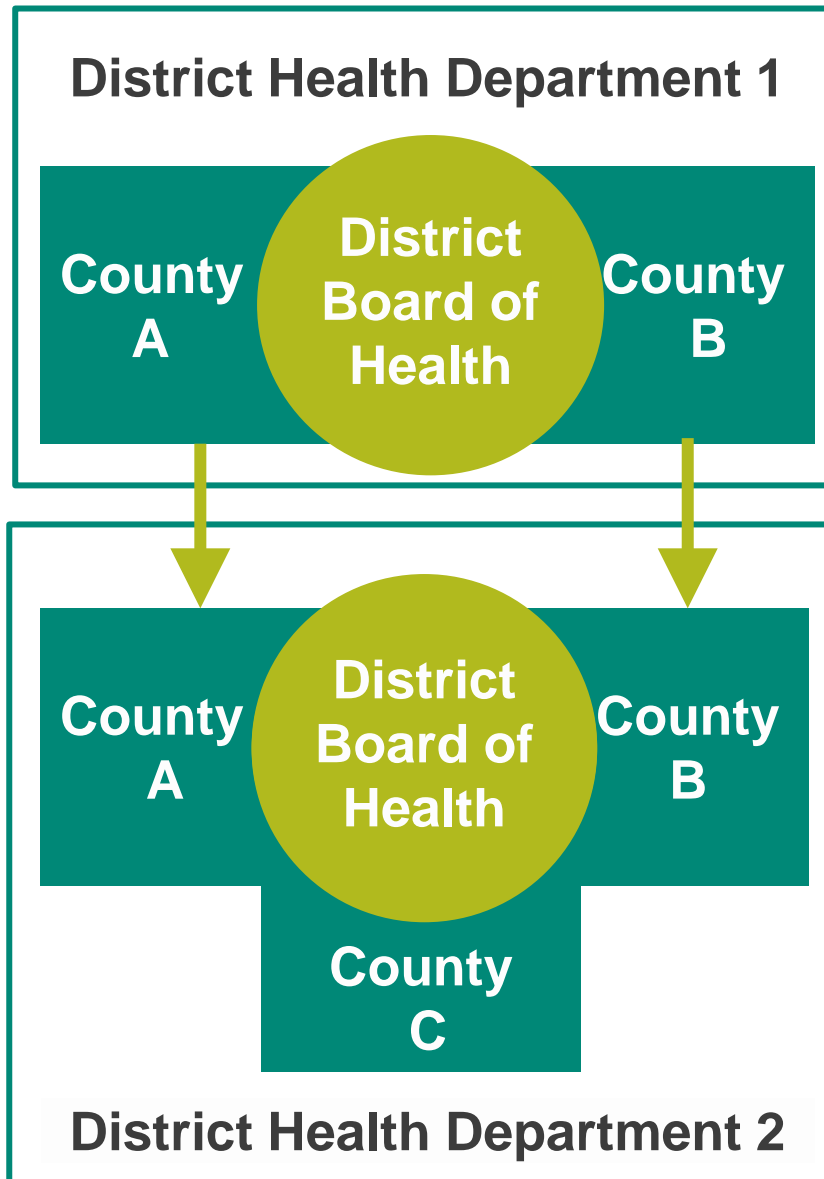


Create new district health departments:
Needs majority vote of each local governing entity and approval of MDCH



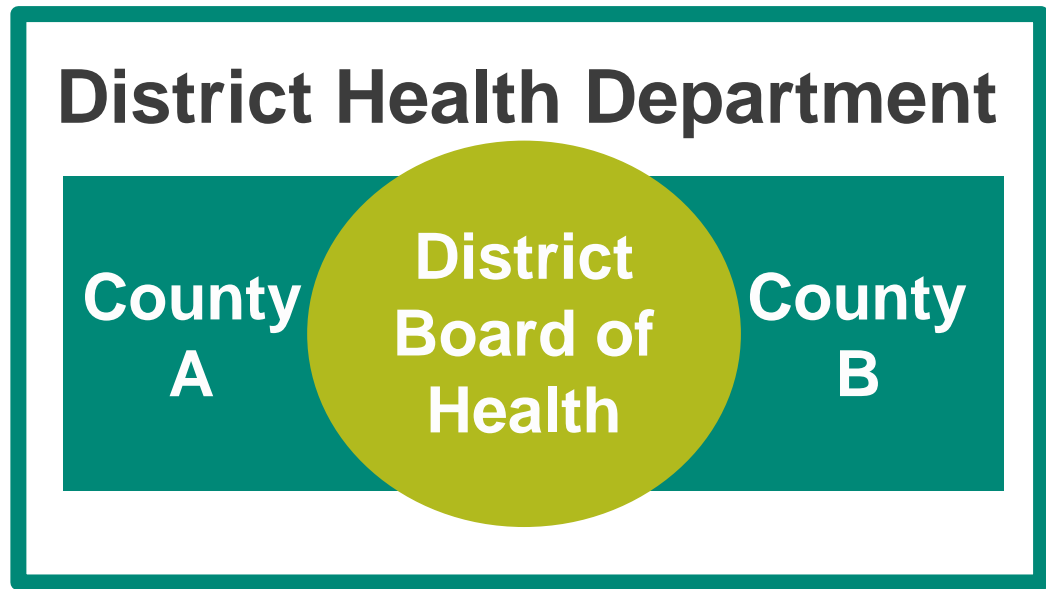
Create a new District Health Department with another District:

Needs majority vote of each local governing entity and approval of MDCH



**Create a new District Health Department with another county:
Needs majority vote of each local governing entity and approval of MDCH**

Share
services with
another health
department or
health
departments



Sharing public health services



Public Health Code

Employment of personnel; consolidation of functions §333.2419

Two or more **local governing entities** may:

Contract for the **employment of personnel** or the **consolidation of functions** of their local health departments

The plan is to be **approved by MDCH**

Public Health Code

Local health department; additional powers §333.2435

A **local health department** may:

Enter into an **agreement, contract, or arrangement** with a **governmental entity or other person necessary or appropriate** to assist the local health department in carrying out **its duties and functions** unless otherwise prohibited by law

Public Health Code

Intergovernmental contracts; existing contracts not affected §333.2448

A **city, county, district, or part thereof** may enter into an **intergovernmental contract** necessary or appropriate to the **reorganization, assumption, or relinquishing** of a **health jurisdiction or function** authorized by this part.

The contract shall provide that an employee transferred shall not lose any benefit or right as a result of the transfer.

Framing legal questions

- 1) Determine desired public health outcome.
- 2) Determine the preferred pathway to achieve the outcome, or alternative pathways.
- 3) Frame your legal question by asking:
“How can we best accomplish X [the desired public health outcome] by Y [the preferred pathway] given our authority under the law?”