

LD0904661

SENATE BILL NO. 42

Offered January 12, 1994

A BILL to provide for the operation of the local health department under the urban county executive form of government.

Patrons—Gartlan, Barry, Calhoun, Howell, Saslaw, Waddell and Woods; Delegates: Callahan, Connally, Dillard, Fisher, Mayer, Mims, Plum and Scott

Referred to the Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. § 1. Option of certain counties to operate local health department under contract with the State Board of Health.

Notwithstanding any other provision of law to the contrary, the governing body of any county having the urban county executive form of government may enter into a contract with the State Board of Health to provide local health services in that county. The governing body may provide such health services either through a separate local department or through another organizational arrangement as authorized by § 15.1-765. The governing body shall not eliminate any service required by law or reduce the level of service below that required by law. In addition, the local governing body shall not eliminate or reduce the level of any service currently delivered in connection with the Virginia Medicaid program.

Any contract executed between the county and the Board shall set forth the rights and responsibilities of the local governing body for the delivery of health services and shall require that the governing body, with the concurrence of the State Health Commissioner, appoint the local health director of health service in accordance with local procedures, who shall be employed full time as an employee of the governing body. All employees of the local health department operated by the governing body of the county shall be employees of the governing body.

The local governing body shall operate the local health department, pursuant to the terms of the contract, within local appropriations and any state funds which may be made available to it, pursuant to the appropriations act. State funds for the operation of health services and facilities shall continue to be allocated to any county which has elected to provide health services by contract pursuant to this section as if such services were provided in a county without such a contract.

The local governing body shall maintain and submit such financial and statistical records as may be required by the State Board of Health.

The county shall be the sole owner of all equipment and supplies, including all equipment and supplies used by the local health department at the time of execution of the contract, which were or are purchased for providing public health services regardless of the source of the funds for such purchases.

The power to contract conferred by this provision shall not become effective until the retirement benefits, vested and not vested, of any employees to be transferred from the state to local employment have been protected.

INTRODUCED

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