



## LOCAL BOARD OF HEALTH MANDATED PROGRAMS

### Description

The authority of the county health department and its Board of Health are one and the same, with the exception of certain actions that can only be exercised by the Board. The following list includes authorities granted to a Board of Health that are implemented by Board staff.

### Legal Reference

### Public Health Activity

[ORC 307.61](#) Institutions subject to inspection of commissioners or Board of health

Each public or private hospital, reformatory home, house of detention, private asylum, and correctional institution shall be open at all times to the inspection of the board of county commissioners or the board of health of the general health district.....

[ORC 307.621](#) Establishing Child fatality review board

A board of county commissioners shall appoint a health commissioner of the board of health of a city or general health district.... To establish a child fatality review board to review the deaths of children under eighteen years of age, as outlined In [ORC 3701.045](#) Child fatality review boards conducting reviews

[ORC 339.72](#) Designation of Tuberculosis control unit

(A) Each board of county commissioners shall provide for the county to be served by a tuberculosis control unit by designating a county tuberculosis control unit or by entering into an agreement with one or more boards of county commissioners of other counties under which the boards jointly designate a district tuberculosis control unit, the entity may be any of the following:

- (1) A communicable disease control program operated by a board of health of a city or general health district pursuant to section [3709.22](#) of the Revised Code;
- (2) A tuberculosis clinic established by a board of county commissioners pursuant to section [339.76](#) of the Revised Code;
- (3) A hospital that provides tuberculosis clinic services under a contract with a board of county commissioners pursuant to section [339.75](#) of the Revised Code.

## Legal Reference

[ORC 3701.23](#) Reporting contagious or infectious diseases, illnesses, health conditions, or unusual infectious agents or biological toxins

[ORC 3701.344](#) Rules for Private water systems

[ORC 3705.05](#) Local registrars- Deputy registrar—records

## Public Health Activity

(B) The entity designated under division (A) of this section as the tuberculosis control unit shall accept that designation and fulfill its duties as the tuberculosis control unit specified under sections [339.71](#) to [339.89](#) of The Revised Code. (Additional details found in [OAC 3701-15 Tuberculosis](#))

(B) Boards of health, health authorities or officials, health care providers in localities in which there are no health authorities or officials, and coroners or medical examiners shall report promptly to the department of health the existence of any of the following:

- (1) Asiatic cholera;
- (2) Yellow fever;
- (3) Diphtheria;
- (4) Typhus or typhoid fever;
- (5) As specified by the director of health other contagious or infectious diseases ([OAC 3701-3-02](#) – Diseases to be reported, Class A, B, C), , illnesses, health conditions, or unusual infectious agents or biological toxins posing a risk of human fatality or disability.

(B) Rules adopted by the director of health regarding private water systems shall provide for the following:

- (1) Boards of health of city or general health districts shall be given the exclusive power to establish fees for administering and enforcing the rules.
- (2) Boards of health of city or general health districts shall be given the exclusive power to determine the number of inspections necessary for determining the safe drinking characteristics of a private water system.
- (3) Private water systems contractors shall annually register with, and comply with surety bonding requirements of the department of health. No such contractor shall be permitted to register if the contractor fails to comply with all applicable rules adopted by the director and the board of health of the city or general health district.
- (4) Boards of health of city or general health districts shall have the option of determining whether bacteriological examinations shall be performed at approved laboratories of the state or at approved private laboratories.

(D) A board of health shall collect well log filing fees on behalf of the division of soil and water resources in the department of natural resources. (As outlined in [OAC 3701-28 Private Water Systems](#)).

In each primary registration district, the board of health of the health district, on the recommendation of the health commissioner, shall appoint the local registrar of vital statistics. In a general health district, all the records of vital statistics shall be kept at the office of the board of

health of such district. More fully outlined in [ORC 3705.; VITAL STATISTICS](#) and [OAC 3701-5 Vital Statistics](#).

## Legal Reference

[ORC 3707.01](#) Powers of Board abatement of Nuisances

[ORC 3707.26](#) Board shall inspect schools and may close them

[ORC 3717](#) Retail Food Establishments; Food Service Operations

[ORC 3718](#) Sewage Treatment Systems

[ORC 3729](#) Recreational Vehicle Parks, Recreation Camps, Combined and Temporary Park-Camp

## Public Health Activity

The board of health of a city or general health district shall abate and remove all nuisances within its jurisdiction.

Semiannually, and more often, if in its judgment necessary, the board of health of a city or general health district shall inspect the sanitary condition of all schools and school buildings within its jurisdiction, and may disinfect any school building. During an epidemic or threatened epidemic, or when a dangerous communicable disease is unusually prevalent, the board may close any school and prohibit public gatherings for such time as is necessary.

### [ORC 3717.11](#)

(A) Each board of health shall be surveyed for the purpose of determining whether the board is qualified and has the capacity to administer and enforce this chapter and the rules adopted under it and to abide by the Ohio uniform food safety code. If the board licenses or proposes to license retail food establishments, the survey shall be conducted by the director of agriculture. If the board licenses or proposes to license food service operations, the survey shall be conducted by the director of health. Rules are outlined at [OAC 901:3-4](#) Retail Food Establishments-Licensing; [OAC 3701-21](#) Food Service Operations; and [OAC 3717-1](#) State of Ohio Uniform Food Safety Code.

(A) The director of health, in accordance with Chapter 119 of the Revised Code, shall adopt, and subsequently may amend and rescind, rules of general application throughout the state to administer this chapter. Rules adopted under Division (A) of this section shall do at least all of the following:

- (1) Require that the appropriate board of health approve or disapprove the installation, operation, and alteration of a sewage treatment system if it is not connected to a sanitary sewerage system;
- (2) Require a board of health, or other person as established by rule, to conduct a site evaluation for any proposed installation of a sewage treatment system;.....

Rules are located in [OAC 3701-29](#) Household Sewage Disposal Systems.

### [ORC 3729.06](#)

(A) The director of health may survey annually each health district that is licensing recreational vehicle parks, recreation camps, combined park camps, or temporary park camps as provided in section [3729.05](#) of the Revised Code to determine whether the district is in substantial

## Legal Reference

### [ORC 3730](#) Tattooing or Body Piercing Services

### [ORC 3749](#) Swimming Pools

compliance with this chapter and rules adopted under it. upon determination that there is substantial compliance, the director shall place the health district on an approved list.  
**Public Health Activity**

Rules are outlined in [OAC 3701-25](#) and [OAC 3701-26](#).

#### [ORC 3730.03](#)

A person seeking approval to operate a business that offers tattooing or body piercing services shall apply to the board of health of the city or general health district in which the business is located on forms the board shall prescribe and provide. The applicant shall submit all information the board of health determines is necessary to process the application..... To receive approval to offer tattooing or body piercing services, a business must demonstrate to a board of health the ability to meet the requirements established by this chapter and the rules adopted under section [3730.10](#) of the Revised Code for safe performance of the tattooing or body piercing procedures, training of the individuals who perform the procedures, and maintenance of records. A board of health that determines, following an inspection conducted under Section [3730.04](#) of the Revised Code that a business meets the requirements for approval shall approve the business. Rules are outlined at [OAC 3701-9](#) Tattoo and body piercing services.

#### [ORC 3749.07](#)

(A) The director of health shall annually survey each health district that licenses public swimming pools, public spas, and special-use pools to determine whether or not the health district is in substantial compliance with this chapter and the rules adopted thereunder. If the director determines that a health district is in substantial compliance, he shall place the district on an approved health district licensing list. Rules are outlined in [OAC 3701-31](#) Public Swimming Pools or Spas