

**ORANGE COUNTY HEALTH DEPARTMENT**  
**Board of Health Policy and Procedures Manual**

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**Section III: Board Adopted Policies**

**Policy I.EH.A.: Operating Procedures**

Reviewed by: Health Director

Approved by: Health Director, Board of Health

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**Policy I.DH.A.**

This policy covers the routine operations of the Board of Health. Operating procedures documents processes the board follows to ensure local and state standards are met.

**Purpose**

To outline operating procedures for the Board of Health in accordance with pertinent state, local and federal requirements for the operation of the Board.

**I. Name and Office**

The name of this organization is the Orange County Board of Health (hereinafter “Board”). The principal office of the Board is located at 300 West Tryon Street, Hillsborough, NC 27278.

**II. Charge to the Board**

The Board is the primary policy-making, rule-making, and adjudicatory body (NCGS 130A-35 – Appendix I.E.A 130A-35) for the health department and is charged to protect and promote the public health of Orange County (NCGS 130A-39 – Appendix I.E.B 130A-39).

- A. Policy-Making: All decisions related to changes in essential public health services or other changes in fundamental services and activities of the Department will be presented to the Board for final approval. Changes will be submitted by the Health Director. The Board delegates to the Health Director the responsibility for policies and procedures that relate to the operations of the Department.
- B. Rule-making: The Board shall exercise its authority when it sees fit to adopt public health rules. The Health Director and/or Department staff may from time to time propose rules and/or rule changes for the Board's consideration.
- C. Adjudication: The Board will hear appeals to the implementation or findings of public health rules adopted by the Board.

**III. Composition**

- A. The composition of the Board of Health is governed by NCGS 130A-35(b)-(d) (Appendix I.E.A) which states the composition of the board shall reasonably reflect the population and makeup of the county.
- B. The Board of County Commissioners will appoint the members of the Board of Health. The Board of Health is composed of eleven (11) members:
  - 1. A licensed physician
  - 2. A licensed dentist
  - 3. A licensed optometrist
  - 4. A licensed veterinarian
  - 5. A licensed pharmacist

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6. A registered nurse
  7. A professional engineer
  8. A county commissioner
  9. Three representatives of the general public
- C. For purposes of Board composition, diversity includes, but is not limited to, professional experience, cultural and educational background, geography, age, gender, race and ethnicity. When assessing Board composition or identifying suitable candidates for appointment/re-appointment, the Board will consider candidates on merit and statutory requirement with consideration to the benefits of diversity.
- D. The Orange County Board of Health is committed to ensuring diversity among members and values the benefits that diversity brings. Diversity promotes the inclusion of different perspectives and ideas, mitigates against group think and ensures that the Board has the opportunity to benefit from a variety of skills, backgrounds, and experiences.
- E. The Board's commitment to diversity shows internal and external stakeholders that the organization emphasizes diverse constituencies and does not discriminate against minorities, thereby enhancing the Board's reputation with county government and residents.

**IV. New Board Member Tasks**

- A. Each new Board of Health member must complete requirements prior to assuming their seat as an Orange County Board of Health member. These include completing a Confidentiality Agreement, Conflict of Interest statements, and the "Oath of Office"
- B. Each new Board of Health member must sign a Confidentiality Agreement and Conflict of Interest Statement (Appendix I.E.H) prior to attending their first meeting of the Board of Health.
  - a. Members of the Orange County Board of Health agree to treat all information concerning health department clients, personnel, and financial matters in a confidential manner as required by state and federal statute and will not divulge this information to unauthorized personnel or the public. BOH members may be subject to removal from the Orange County Board of Health if they wrongfully and/or willfully disclose such information.
  - b. Each board member agrees to carefully guard against any conflict of interest that might develop between his or her personal or professional interest and that of the Orange County Health Department.
  - c. If an issue arises in which a member of the board has a conflict of interest, the member shall promptly disclose the conflict to the Chair of the Board prior to consideration of the issue by the board.

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- d. In matters involving a conflict of interest, a board member must state the reason for which they reasonably think a conflict exists and the board member shall not vote on such policies or transactions unless requested by the board.
  - e. The abstention and the reason for it shall be recorded in the minutes.
  - f. A board member may not directly or indirectly benefit except as provided for as members of the board of directors, from the county's disbursement of funds.
  - g. Violation of this policy shall be grounds for recommending dismissal of a board member. The Board of Health will forward recommendation for dismissal to the Board of County Commissioners for action.
- C. The Oath of Office is administered to a new Board member by a notary public either at or before the first regular meeting of the Board of Health after the member's appointment by the Orange County Board of Commissioners. The oath may be administered with or without a Bible, Torah, Qu'ran, etc. The original of the signed and notarized oath is placed in the official health department file and a copy is provided to the Board member. The oath is as follows:
- a. " I, [name], do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Orange County Board of Health, (so help me God). {NCGS 11-7.1}  
"I [name], do swear (or affirm) that I will well and truly execute the duties of the office of member of the Orange County Board of Health according to the best of my skill and ability, according to law, (so help me God). {NCGS 11.11}
- V. **Terms of Office**
- A. By NCGS 130A-35(c) (Appendix I.E.A), members shall serve three year terms and no member may serve more than three consecutive three-year terms unless the members is the only person residing in the county who represents one of the professions designated in the Composition section above.
  - B. It is the policy of the Orange County Board of Health that members may serve three, consecutive three-year terms. Members appointed to fill unexpired terms are eligible to subsequently be appointed to three additional terms.
- VI. **Resignation of Board Member from Current Term of Office**
- A. In the event that a Board member resigns prior to the official end of his/her term of office, the Board member shall send a letter to the Secretary (Health Director) or the Board Chair with the date of his/her resignation. The Secretary will transmit the letter to the County Commissioners Clerk's Office and ask that

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recruitment for the slot be activated. The Board shall be informed at the next regularly scheduled meeting of the Board.

**VII. Removal from the Board**

- A. By majority vote of a quorum present at a regular or duly called meeting, the Board of Health may recommend to the Board of County Commissioners that a member be removed for cause. Before recommending removal, the Board shall, by written notice, inform the member of the reasons for recommending removal with copies of this correspondence sent to all members. If the member desires a hearing on the recommendation for removal, then the member must submit a request for such a hearing in writing within ten days after receipt of the notice of recommendation for removal. The hearing shall be set within 30 days following receipt of the request for hearing.
- B. Causes for removal from the Board shall include but not be limited to:
1. Commission of a felony or other crime involving moral turpitude.
  2. Conflict of interest violation of state law or of written "conflict of interest" policies adopted by the Board of Health.
  3. Violation of a written policy adopted by the county board of commissioners.
  4. Conduct that tends to bring the office into disrepute
  5. Failure to maintain qualifications for appointment required under GS 130A-35(g6) (Appendix I.E.A).
  6. Unexcused non-attendance at three consecutive board meetings. The Board deems it essential to its ability to effectively and efficiently discharge its responsibilities that meetings are attended regularly. Quorum problems harm the ability to conduct public business and irregular and/or infrequent attendance results in inefficiency and uninformed voting.

**VIII. Compensation**

Members shall receive a per diem reimbursement for subsistence and travel as established by the Board of County Commissioners for each properly called and scheduled meeting of the Board of Health for attendance at official meetings and conferences.

**IX. Officers and Committees**

**A. Chair and Vice-Chair**

The Board members shall select a Chair and Vice-Chair by majority vote each year at the last meeting of the calendar year.

**B. Secretary**

The Orange County Health Director shall serve as Secretary to the Board, but the Director is not a member of the Board. The Health Director may delegate the

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duties of the secretary that are set forth in these operating procedures to an appropriate local health department employee.

**C. Committees**

The Board shall review the existing committee structure annually and make decisions regarding the number and types of standing committees. Board members are appointed to committees annually. Only Board members may serve as committee members of standing Board committees and the number of Board members on any single committee must be at least two members and may not exceed five members. All standing committees are subject to the North Carolina open meetings laws and shall comply with the provisions of those laws.

The Board shall have the following standing committees:

**1. Executive Committee**

To provide the structure for the work of the Board of Health and act as an advisor to the health director and senior management staff as needed. Chair and Vice-Chair are committee members.

**2. Nominating and Operating Procedures Committee**

To develop and present an annual slate of officers for Board consideration, to oversee the board recruitment process, and to recommend operating procedure changes as needed. Members are appointed by the Chair on an ad hoc basis.

- i. The Nominating and Operating Procedures Committee of the Board of Health is delegated to carry out recruitment for vacant slots on the Board of Health. In order to meet a timely transition the process should begin four months prior to expiration of term. The procedure is as follows:

For representatives of professional slots:

- a. Recommendations for replacements may be solicited from the “retiring” Board member. Applicants must apply through the County Commissioner’s Clerk’s Office.
- b. If there are no suitable applicants in the current database, mailing list/labels from appropriate licensing board or association may be obtained.
- c. If a list is used to solicit suitable applicants, a recruitment letter is prepared by the Health Director for Committee approval. Recruitment letter is signed by current board chair and current board member occupying the slot or nominating committee chair.
- d. Applicants send applications to Clerk's Office. Application period open until filled. Committee reviews

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- applications no sooner than 15 working days after mailing of letter.
- e. Nominating Committee may add current professional representative, related division director, and health director to review applications, apply criteria, and may choose to interview top two or three applicants. At a minimum, committee interviews top candidate to solicit interest, commitment, and understanding of expectations of service on the Board. Committee makes recommendation to Board of Health.
  - f. Board of Health receives roster of all applicants and applications from top selections. Board makes recommendation to Board of County Commissioners.

For at-large representative slots:

- a. Recommendations for replacements may be solicited from the “retiring” Board member. Applicants must apply through the County Commissioner’s Clerk’s Office.
- b. If there are no suitable candidates in the current database, the Committee meets with all three at-large representatives and the Health Director to determine community groups from which to recruit and mailing labels/list are obtained from those community groups.
- c. If a list is used to solicit suitable applicants, a recruitment letter is prepared by the Health Director for Committee approval. The letter is signed by the current board chair and current at-large representative occupying the slot or by nominating committee chair.
- d. Applicants send applications to Clerk's Office or apply on-line through the county website. Application period open until filled. Committee will look at applicants no sooner than 15 working days after letters were mailed.
- e. Nominating Committee reviews applications, applies criteria, and may choose to interview top two or three applicants. At a minimum, committee interviews top candidate to solicit interest, commitment, and understanding of expectations of service on the Board. Committee makes recommendation to Board of Health.
- f. Board of Health receives roster of all applicants and applications from top selections. Board makes recommendation to Board of County Commissioners.

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Criteria for Board of Health applicant review. The following criteria are meant to be guidelines for assessing applicants and are not meant to be exclusive.

- a. Full-time resident of Orange County, with commitment to stay in the county for at least nine years (3 terms)
- b. Must hold required degree for service if in a professional slot: RN, MD/DO, DVM, OD, BS Pharm, PE, DDS
- c. Public health training or experience preferred for professional slots
- d. For professional slots, actively employed in their profession (e.g., as a pharmacist or in a pharmacy administrative role). Priority given to practicing professionals (non-researchers).
- e. Prior experience with community work (e.g., Red Cross, mission work, school health, equity work)
- f. Willingness to engage as an active member of the Board, serve in a leadership position, and/or serve as an active member on a committee
- g. Currently serving on not more than one other Board or committee that requires significant amounts of time
- h. Geographic representation of the county (balance on the current board)
- i. Gender and culturally diverse representation on the current board
- j. No former employees of the health department
- k. No employees of other county departments

Reappointment of Existing Board of Health Members

- a. A Board of Health member is appointed to a three-year term beginning the month of their appointment, unless serving in an unexpired term slot. Generally, members are eligible for reappointment for second and third terms. As members become eligible for reappointment, the Nominating Committee reviews the attendance records of members who are eligible for reappointment, contacts each member to assess willingness to continue and makes a recommendation to the Board of Health. The Board Secretary (Health Director) sends a letter to the Clerk of the Commissioners indicating the Board of Health's review and endorsement for reappointment.

**3. ~~Physical Activity and Nutrition~~ Health Equity**

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To oversee the action steps and deliverables outlined in the ~~Physical Activity and Nutrition~~ Health Equity section of the Board of Health Strategic Plan.

**4. ~~Mental Health and Substance Abuse~~ Access to Care**

To oversee the action steps and deliverables outlined in the ~~Mental Health and Substance Abuse~~ Access to Care section of the Board of Health Strategic Plan.

**5. ~~Social Determinants of Health~~ Substance Use Disorders**

To oversee the action steps and deliverables outlined in the Social Determinants of Health section of the Board of Health Strategic Plan.

**6. Temporary Committees**

The Board may establish and appoint members for temporary committees as needed to carry out the Board's work. Temporary committees must limit their work to the specific charge outlined by Board motion and may include members that are not serving on the Board of Health. All temporary committees are subject to the North Carolina open meetings laws and shall comply with the provisions of those laws.

**X. Meetings**

**A. Regular Meetings**

The Board shall hold regular meetings no less than quarterly. As a general rule, the Board will meet monthly. A calendar of regular meetings and location of each meeting will be established at the last regular meeting of the calendar year for the next calendar year. The dates may be adjusted annually based on Commissioner meeting dates for the year to enable the Commissioner member of the Board to attend. The requirements of the open meetings law shall apply to all regular board, regular or ad hoc committee or task for meetings. Notification of the public will be in compliance with open meeting law notification.

**B. Special Meetings**

The Chairperson or any three members may call special meetings. The Secretary to the Board is to be informed of the special meeting and shall give proper notice of the meeting at least 48 hours before the special meeting is to occur. A special meeting may also be called or scheduled by vote of the board in open session during another duly called meeting. The motion or resolution calling or scheduling the special meeting shall specify its time, place, and purpose. Notification procedures remain the same. Only those items of business specified in the notice may be discussed or transacted at a special meeting, unless (1) all members are present and (2) the board determines in good faith at the meeting that it is essential to discuss or act on the item immediately.

**C. Agenda**

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The Secretary to the Board shall prepare an agenda for each meeting. Any board member who wishes to place an item of business on the agenda shall submit a request to the Secretary at least five working days before the meeting. For regular meetings, the Board may add items to the agenda or subtract items from the agenda by a majority vote. The agenda for a special or emergency meeting may be altered only if permitted by and in accordance with the North Carolina open meetings laws.

**D. Presiding Officer**

The Chair of the Board shall preside at Board meetings if present. If the Chair is absent, the Vice-Chair shall preside. If the Chair and Vice-Chair are both absent, another member designated by a majority vote of members present at the meeting shall preside.

**E. Quorum**

A majority of the actual membership of the Board, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by a majority vote of the remaining members shall be counted as present for purposes of determining whether or not a quorum is present.

**F. Voting**

Each Board member shall be permitted to abstain from voting, by so indicating when the vote is taken. A member must abstain from voting in cases involving conflicts of interest as defined by North Carolina law. If a member has withdrawn from a meeting without being excused by a majority vote of the remaining members, the member's vote shall be recorded as an abstention.

**G. Minutes**

The Secretary shall prepare minutes of each Board meeting. Copies of the minutes shall be made available to each Board member before the next regular Board meeting. At each regular meeting, the Board shall review the minutes of the previous regular meeting as well as any special or emergency meetings that have occurred since the previous regular meeting, make any necessary revisions, and approve the minutes as originally drafted or as revised. The public may obtain copies of Board meeting minutes at the Board of Health website <http://server3.co.orange.nc.us:8088/WebLink/Browse.aspx?dbid=0&startid=48114&row=1&cr=1>.

**H. Closed Session**

The Board may hold a closed session only upon a motion adopted in open session when a quorum is present. The motion must state the general purpose of the closed session and the matter to be considered must be one or more of the subjects listed in NCGS 143-318.11 (see Appendix I.E.C). Furthermore, if the motion to go into closed session is to prevent the disclosure of information privileged or confidential pursuant to the law of this State or of the United States, or not considered public record within the meaning of Chapter 132 of the General

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Statutes (Appendix I.E.D), the Board shall also state the name or citation of the law that renders the information to be discussed privileged or confidential.

**XI. Contract Negotiations**

The Health Director is authorized to enter into a contract with any governmental or private agency or with any person, for the provision or receipt of public health services. The Board of County Commissioners or its designee must approve contracts requiring payment for services rendered to the Health Department. The Health Director will discuss with the Board contracts that represent significant deviation from current Board of Health policy prior to authorizing that contract.

**XII. Amendments to Operating Procedures**

These operating procedures may be amended at any regular meeting or at any properly called special meeting that includes amendment of the operating procedures as one of the stated purposes of the meeting. A quorum must be present at the meeting at which amendments are discussed and approved, and any amendments must be approved by a majority of the members present at the meeting.

**XIII. Other Procedural Matters**

The Board shall refer to Bell, II, A. Fleming. Suggested Rules of Procedure for Small Local Government Boards, Second Edition, Institute of Government, The University of North Carolina at Chapel Hill, 1998 to answer procedural questions not addressed in this document, so long as the procedures prescribed in *Suggested Rules of Procedure for Small Local Government Boards* do not conflict with North Carolina law.

**A. Parliamentary Procedures**

The Board shall refer to the current edition of *Robert's Rules of Order Newly Revised (RONR)* to answer procedural questions not addressed in this document, so long as the procedures prescribed in *RONR* do not conflict with North Carolina law.

**B. Public Comment**

1. The BOH will ensure that policies and services of the Orange County Board of Health and Orange County Health Department have considered the health and environmental safety needs of the general population and any at-risk populations of Orange County. The BOH will accomplish this by ensuring that reasonable mechanisms for community/public input are available
2. The Board of Health will reserve a public comment period on each regularly scheduled Board meeting. Each individual will be given a maximum of three minutes for comments, and the public comment period will be limited to 15 minutes each meeting.

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3. Annually the Board of Health will receive from the staff of the Health Department the results of patient and client input on services received, including any corrective actions deemed necessary to improve services.

**C. Procedure for Complaints**

The Orange County Board of Health and Orange County Health Department will have reasonable means in place to ensure that timely appeals can be heard from clients, patients, or members of the public. The Department will follow all provisions and requirements outlined by North Carolina General Statutes governing Health Departments, including but not limited to GS 130A. If any provision of the following procedures is in conflict with General Statutes, the current Statute will govern. Complaint procedures can be found in the following locations:

1. Orange County Health Department Administrative Policy and Procedure Manual
  - a. Section X, Policy 13.0 Nondiscrimination and Complaint Process
  - b. Section X, Policy 14.0 General Complaint Response Process
  - c. Section X, Policy 15.0 HIPAA Breach Policy
    - i. Attachment 9 OCHD HIPAA Complaint Form
2. Environmental Health Services Policy and Procedure Manual
  - a. Policy 2.0 Environmental Health Complaint Response Procedures

**XIV. Policy-Making Procedures**

The Orange County Board of Health authorizes and delegates the implementation of all programs and services as defined by North Carolina General Statute 130A (Appendix I.E.F), the related NC Administrative Code, and other programs approved by the Board to the staff of the Orange County Health Department under the direction of the Health Director. The Orange County Board of Health will provide guidance for programs and policies that affect the entire Health Department.

- a. The Orange County Board of Health, upon recommendation of the Health Director, shall review and approve policies or programs that commit the Health Department to utilize significant additional or new resources outside of the scope of the approved annual budget.
- b. The Board of Health authorizes continuation of program activities through the annual approval of a Health Department budget.
- c. The Board of Health delegates the approval of all administrative policies and procedures for the general functioning of the Health Department to the Health Director.
- d. The Board of Health reviews and approves policies as requested or in response to a Board of County Commissioner initiative and forwards recommendations to the Board of County Commissioners on relevant changes.

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The Board of Health delegates the implementation of these policies to the appropriate division staff through the Health Director.

- e. The Orange County Board of Health shall review at least annually all policies adopted by the Board of Health.

**XV. Rules Development Procedure**

The board shall evaluate the need for adoption of rules to protect and promote the public health. In addition, existing rules should be evaluated periodically for the need for revisions to respond to new risks, advances in technology, or changes in statutes or state regulations.

A. The Board will follow the procedures outlined in NCGS 130A-39 (Appendix I.E.B).

- i. Not less than 10 days before the adoption, amendment or repeal of any local board of health rule, the proposed rule shall be made available at the office of the county clerk, and a notice shall be published in a newspaper having general circulation within Orange County. The notice shall contain:
  - a. A statement of the substance of the proposed rule or a description of the subjects and issues involved.
  - b. The proposed effective date of the rule, and
  - c. A statement that copies of the proposed rule are available at the local health department.

A local board of health rule shall become effective upon adoption unless a later effective date is specified in the rule.

- ii. Copies of all rules shall be filed with the secretary of the local board of health and will be made available to all Board of Health members.
- iii. A local board of health may, in its rules, adopt by reference any code, standard, rule or regulation, which has been adopted by any agency of this State, another state, any agency of the United States or by a generally recognized association. Copies of any material adopted by reference shall be filed with the rules.

**XVI. Adjudication Procedures**

A. The Board will follow all procedures as specified in NCGS 130A-24 (Appendix I.E.E). In the case where a member of the public is appealing a decision on the application of an Orange County Board of Health adopted rule or concerning the imposition of administrative penalties by a local health director, the process will include the following steps:

- i. The aggrieved party shall provide written notice of appeal to the Health Director within 30 days of the challenged action. The notice shall contain the name and address of the aggrieved person, a

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**ORANGE COUNTY HEALTH DEPARTMENT**  
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**Section III: Board Adopted Policies**  
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Reviewed by: Health Director

Approved by: Health Director, Board of Health

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- description of the challenged action and a statement of the reasons why the challenged action is incorrect.
- ii. The Health Director shall notify the Board within five working days of receipt of the appeal and transmit all documents upon which the challenged action was taken.
  - iii. The Board of Health shall hold a hearing within 15 days of the receipt of the notice of appeal from the health director to the Board. The Board will give the person not less than 10 days notice of the date, time and place of the hearing. The local board of health shall issue a written decision based on the evidence presented at the hearing. The decision shall contain a concise statement of the reasons for the decision. The hearing must meet the requirements of procedural due process.
    - a. No contact outside the hearing with parties involved or between board members.
    - b. Board members with any bias must not participate.
    - c. Board must allow the appellant's attorney to attend and advise his/her client.
    - d. Board must take sworn and relevant testimony.
    - e. Board must provide for cross-examination of witnesses.
    - f. Board must keep detailed or verbatim minutes.
  - iv. The proceedings shall be recorded and a transcript of the hearing shall be prepared and be available to the appellant and/or the Board upon request.
  - v. At the next regularly scheduled Board meeting following the hearing, the Board must issue a written decision based on the evidence presented at the hearing. The decision shall contain a concise statement of the reasons for the decision and the Secretary will transmit the final written decision of the Board to the person appealing via certified US mail.
  - vi. A person who wishes to contest a decision of the Board of Health shall have a right of appeal to the district court having jurisdiction within 30 days after the date of the decision.

**XVII. Annual Review of the Health Director**

The Board of Health will use the following guidelines to accomplish the required annual review of the health director's performance in accordance with the statutory requirement GS 130A-41 (Appendix I.E.G)

**Guidelines:**

- A. Orange County Personnel Policies are followed in conducting this review.

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Steps in the standard process are:

- a. Preparation of an annual work plan by the employee and supervisor.
  - b. Preparation of performance notes at the end of the plan year that relate to the objectives contained in the work plan.
  - c. A conference between the employee and the supervisor regarding the employee's performance for the year.
  - d. Supervisor prepares a Work Planning and Performance Summary after the conference which outlines the findings of the discussion and makes the final recommendation as to performance.
  - e. Supervisor forwards all paperwork to Human Resource Director.
- B. In the case of the Health Director, the "supervisor" of the Director is the entire Board. The Chair assumes the responsibility of managing the information flow and input into the performance evaluation. This may include the formation of an ad-hoc committee to assist in the completion of the performance evaluation.
- a. The Health Director prepares performance notes relevant to the year and emails them to all Board members.
  - b. The Chair schedules a meeting with the County Manager to obtain input on the Health Director's performance.
  - c. The Chair may or may not solicit additional feedback, including from senior management staff and direct reports at the Health Department through electronic or in-person methods each year. A 360 degree<sup>0</sup> evaluation should be conducted at least every five~~5~~ years.
  - d. The Chair presents these findings to the full Board at a closed session of the Board and a general discussion of performance is then held. The Board reaches agreement on a recommendation and then the health director is called into the room and the Chair guides the discussion by Board members.
  - e. The Board is required to keep minutes during the closed session, including any motions made and actions resulting from such motions and transmit them to the Secretary (Health Director) for the permanent record.
  - f. Board members indicate changes they would like to see included in the following year's work plan and those areas are discussed with the Health Director in the meeting.

Following the meeting, the Chair writes the performance summary, finalizes the paperwork, obtains the Health Director's signature and sends it to the Human Resources Director for the County. The Human Resources Director processes the remaining paperwork. The goal should be to have the performance review complete within 30 days of the hiring date anniversary.

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**XVIII. Compliance with North Carolina Law**

- A. In conducting its business, the Board shall comply with all applicable North Carolina laws, including but not limited to open meetings laws, public records laws, and the laws setting forth the responsibilities and duties of local boards of health. To assist the Board in compliance, the local health director shall maintain a current copy of relevant North Carolina General Statutes and make them available to Board members on request.
- B. The Board of Health must consult legal counsel such as the Orange County attorney, the NC Attorney General or the UNC School of Government whenever legal assistance is indicated to interpret laws and rules.
- C. The NCGS 130A (Appendix I.E.F) and related statutes on public health law and administrative codes shall be maintained in the Health Director's Office and in a Board of Health Manual.

**APPENDIX**

NC General Statute (NCGS) References

[Appendix I.E.A – 130A-35](#)  
[Appendix I.E.B – 130A-39](#)  
[Appendix I.E.C – 143-318.11](#)  
[Appendix I.E.D – 132](#)  
[Appendix I.E.E – 130A-24](#)  
[Appendix I.E.F – 130A](#)  
[Appendix I.E.G – 130A-41](#)  
[Appendix A – 130A-35](#)  
[Appendix B – 130A-39](#)  
[Appendix C – 143-318.11](#)  
[Appendix D – 132](#)  
[Appendix E – 130A-24](#)  
[Appendix F – 130A](#)  
[Appendix G – 130A-41](#)

Appendix I.E.H – Statement of Confidentiality and Conflict of Interest

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