

HOUSE BILL 9008

By Zachary

AN ACT to amend Tennessee Code Annotated, Title 4; Title 58; Title 68, Chapter 2 and Chapter 550 of the Public Acts of 2021, relative to local health authorities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-2-606, is amended by deleting the section and substituting:

(a) Except as otherwise provided in this section, each county health department in this state, including a county health department created by private or public act prior to July 1, 1985, or by action of a county legislative body, is deemed to be a county health department created under this part, and shall comply with and is subject to this part.

(b) With respect to county health departments created, by private or public act prior to July 1, 1985, or by action of a county legislative body, such health departments:

(1) Shall control the manner in which they are funded and staffed; and

(2) Shall maintain the manner in which they submit proposed budgets for funding, staffing, facilities, and resources.

SECTION 2. Tennessee Code Annotated, Section 68-2-603(c), is amended by deleting the section and substituting instead:

(c) The county mayor may appoint a county health officer, subject to the written concurrence of the commissioner of health as provided in subdivision (a)(6), responsible for providing medical direction, including medical enforcement actions. The county health officer shall be a graduate doctor of medicine or osteopathy, schooled and experienced in public health work and licensed to practice in this state. The county

health officer shall have compensation paid, all or in part, by the state department of health.

SECTION 3. Tennessee Code Annotated, Section 68-2-603(a), is amended by deleting subdivisions (2) and (6) and substituting:

(2) The county health director is appointed by the county mayor, pursuant to subdivision (a)(6), to act as the administrative officer of the county health department, take actions and make determinations necessary to properly execute the state department of health's programs, and adequately enforce the rules established by the commissioner.

(6) The county mayor shall appoint the county health director in concurrence with the commissioner of health. The commissioner shall concur or not concur with the proposed appointee in writing within ten (10) days of notification of the appointment by the mayor. If the commissioner does not concur, the county mayor shall submit a different nominee to the commissioner for approval. If the commissioner does not respond to the county mayor in writing within ten (10) days of notification of any county mayor appointee, the appointment is deemed to be approved.

SECTION 4. This act takes effect upon becoming a law for purposes of promulgating rules and orders, and carrying out administrative duties necessary to effectuate the provisions and intent of this act, the public welfare requiring it. This act takes effect on July 1, 2022, for all other purposes, the public welfare requiring it.