

RESOLUTION #2015-138

A RESOLUTION DELEGATING BOARD OF HEALTH AUTHORITY FOR ISOLATION AND QUARANTINE MEASURES TO THE HEALTH COMMISSIONER

PREAMBLE: {The September 11, 2001, terrorist attacks and the anthrax incidents following in the wake of those terrorist events indicate that local, state, and federal personnel, including local public health officials, are often required to respond quickly and in a coordinated manner to emergency situations. This is especially true for local public health officials in the case of a bioterrorism event since they are expected to provide initial leadership and direction to the local community until state and federal resources can be mobilized. In a bioterrorism event, the ability of local public health officials to act in a swift and decisive manner, without delay, can quite literally be the difference between life and death. If circumstances have rendered a meeting of the Board of Health impractical or impossible, and/or delaying action until a meeting of the Board would compromise the public health, the Health Commissioner must be authorized to act on the Board's behalf. With this in mind, the Board of Health has determined that this Policy is necessary to protect the public health and to ensure a swift and timely response to a bioterrorism or other emergency public health event.}

WHEREAS, the Board of Health has primary authority to enforce the provisions of sections 3707.04 to 3707.32 of the Revised Code regarding quarantine and isolation; and

WHEREAS, section 3707.34 of the Revised Code authorizes the Health Commissioner to act on behalf of the Board of Health in administering the provisions of sections 3707.04 to 3707.32 of the Revised Code regarding quarantine and isolation, if the Health Commissioner acts pursuant to a policy adopted by the Board of Health; and

WHEREAS, this Policy is hereby adopted by the Board of Health pursuant to section 3707.34 of the Ohio Revised Code; and

WHEREAS, the Board of Health specifically finds that this Policy is necessary for the protection of the health of the people of the community in the event of a bioterrorism or other emergency public health event; and

WHEREAS, the Health Commissioner is the executive officer of the Board of Health and is authorized and required to carry out all orders of the Board, including the enforcement of all local regulations and policies adopted by the Board.

Now Therefore the Following Policy is Hereby Adopted by the Board of Health:

- I. Necessary Findings of Health Commissioner. In order for the provisions of this Policy to take effect, the Health Commissioner must make a finding that: (a) a threat to the public health exists; or, (b) the action is necessary to administer the provisions of sections 3707.04 to 3707.32 of the Revised Code; and (c) circumstances have rendered a meeting of the Board of Health to be impractical or impossible; or (d) delaying action until a meeting of the Board of Health would compromise the public health.
- II. Scope of Delegation. Upon the Health Commissioner making the necessary findings enumerated in Section I of this Policy, the provisions of this Policy shall become effective immediately. In such a case, the Health Commissioner is hereby delegated all the authority possessed by the Board of Health in enforcing the provisions of sections 3707.04 to 3707.32 of the Revised Code regarding quarantine and isolation. The Health Commissioner is hereby authorized to act on behalf of the Board of Health

in these matters, and any actions taken by the Health Commissioner in accordance with this Policy shall be considered actions taken by the Board, unless the Board votes to nullify the Health Commissioner's actions.

- III. Expiration/Renewal of Authority Granted by this Policy. The authority delegated to the Health Commissioner under this Policy shall continue until the earlier of: (a) a finding by the Health Commissioner that such delegation of authority is no longer necessary; or (b) the holding of a regular or special meeting of the Board of the Health wherein Board makes a determination whether to extend, modify, or suspend the delegation of authority.
- IV. The Health Commissioner shall take all reasonable efforts to immediately notify board of health members and the Director of the Ohio Department of Health of any actions taken, furnishing rules and regulations set in place, to enforce provisions of 3707.04 to 3707.34 of the Revised Code.

Adopted by the Galion City Board of Health this ____ day of _____, 20____.

Thomas O'Leary
Mayor/Board of Health President

Trish Factor
Health Commissioner