

**Organization and Governance
of NC Human Services Agencies**

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FAQs

Powers and Duties	Advisory Committees
Information Sharing	Personnel

FAQ #1: Powers and Duties

When county commissioners assume the powers and duties of a consolidated human services board, what exactly do they acquire?

FAQ #1: Powers and Duties

- Boards of health and social services have legal powers and duties
- A consolidated human services board has most of those powers and duties plus some of its own
- A board of county commissioners may assume the powers and duties of any of these boards

Board of Health

Board of Social Services

Consolidated Human Services Board

Board of County Commissioners

FAQ #1: Powers and Duties

Recommendations for conducting CHS board business at BOC meetings:

- Separate agenda item
- At least once per quarter
- Clarity in minutes/other documentation about actions taken in exercise of CHS board powers and duties



FAQ #1: Powers and Duties

State public health rules	Local public health rules
Adopted by NC Commission for Public Health	Adopted by local board of health
Apply statewide	Apply in local jurisdiction, including in municipalities
Examples: <ul style="list-style-type: none"> Food code On-site wastewater permitting Accreditation Communicable disease control 	Examples: <ul style="list-style-type: none"> Smoking/use of tobacco products Private drinking water wells Local environmental health conditions

FAQ #2: Advisory Committees

What is the role of the advisory committee?

FAQ #2: Advisory Committees

- Public health advisory committee required
- Expanded or additional committees allowed
- Membership matches county BOH and may include others
- Role is to advise
- Meeting frequency?
- Chair or other officers?
- Subcommittees?
- Reports to BOC?
- May look to other laws for guidance, but not required

FAQ #3: Advisory Committees

May the BOC delegate some or all of its CHSA-related legal powers and duties to the advisory committee?

FAQ #3: Advisory Committees

- No direct answer in CHSA law, but:
 - Little express delegation authority in board laws
 - “The board [of commissioners] may not discontinue or assign elsewhere a function or duty assigned by law to a particular office, position, department, board, commission, or agency.” – GS 153A-76
- Likely result?
 - BOC exercises legal powers and duties
 - Advisory committee informs and supports the work



FAQ #4: Information Sharing

When public health and social services departments are combined into a single, new CHSA, are the employees and programs allowed to share information more freely than they could before being combined?

FAQ #4: Information Sharing

- May combine data in computer systems
- Confidentiality laws remain intact and will prevent some information sharing
 - Example:
 - Child abuse report; assessment underway
 - Child comes to the health department clinic for care
 - May the public health staff automatically access information related to the assessment while providing care to the child?



FAQ #4: Information Sharing



- Example: Health information
 - Beth’s daughter has an appointment at the clinic
 - A social worker wants to talk with Beth about her paperwork for WorkFirst
 - May the social worker find out when Beth’s daughter’s appointment is and come find Beth in the building?

FAQ #5: Personnel

How will things change for employees of a consolidated human services agency if the BOC removes them from coverage under the SHRA?

FAQ #5: Personnel

- County policies or ordinances apply but must comply with Federal Merit Personnel Standards
 - Recruiting, etc. based on ability, knowledge, and skills
 - Providing equitable and adequate compensation
 - Training employees
 - Retaining employees based on adequacy of performance
 - Assuming nondiscrimination/equal employment
 - Assuring protection from coercion for partisan political purposes
- Certification of compliance required
 - County manager or CHSA director



FAQ #5: Personnel

- Hiring authority changes
 - Director
 - WAS: Governing board appoints and dismisses
 - CHSA: County manager appoints and dismisses with *advice and consent* of BOC
 - Employees
 - WAS: Agency director appoints (and dismisses) employees
 - CHSA: Agency director appoints (and dismisses) with county manager's approval

SOG Resources



The screenshot shows a web browser window displaying the UNC School of Government website. The page title is "North Carolina Public Health Law". The main content area is titled "Consolidated Human Services Agencies (CHSAs)". The text on the page discusses the 2012 legislation that provided counties with new options for organizing and governing local human services agencies. It mentions that counties are now allowed to keep separate county public health and social services departments but abolish their appointed governing boards. The page also includes a "2012 Legislation" section with a link to a document titled "Organization and Governance of Local Public Health & Other Human Services Agencies: Summary of S.L. 2012-126 (H 436) (M Moore, July 2012)".

Questions?


