



# DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

## State Board of Health

### 6 CCR 1014-6

#### MINIMUM QUALIFICATIONS FOR PUBLIC HEALTH DIRECTOR AND MINIMUM QUALIFICATIONS FOR MEDICAL OFFICER

##### 1.1 General Statement of Duties:

- (1) Pursuant to Colorado Revised Statutes, part 5 of article 1 of title 25, the administrative and executive head of each county or district public health agency shall be the public health director. In addition to the other powers and duties conferred by part 5 or by the agency, a public health director has the following powers and duties:
  - (a) To administer and enforce:
    - (i) The public health laws of the state and, as authorized by the provisions of this title or article 20 of title 30, C.R.S., the public health orders, rules, and standards of the state department or the state board; and
    - (ii) The orders and rules of the county or district board.
  - (b) To exercise all powers and duties conferred and imposed upon agencies not expressly delegated by the provisions of part 5 to a county or district board;
  - (c) To hold hearings, administer oaths, subpoena witnesses, and take testimony in all matters relating to the exercise and performance of his or her powers and duties;
  - (d) To act as the local registrar of vital statistics or to contract out the responsibility of registrar in the area over which the agency has jurisdiction;
  - (e) To direct the resources needed to carry out the county or district public health plan developed pursuant to section 25-1-505, C.R.S.; and
  - (f) If requested by the county or district board, to serve as secretary to the board responsible for maintaining all records required by part 2 of article 72 of title 24, C.R.S., and ensuring public notice of all meetings in accordance with part 4 of article 6 of title 24, C.R.S., the director shall be the custodian of all properties and records for the agency.

##### 1.2 Minimum Qualifications:

- (1) **25-1-508(5)(c)(I)** The public health director shall possess such minimum qualifications as may be prescribed by the state board. A public health director may be a physician, a public health nurse, or other qualified public health professional. A public health director may practice medicine or nursing within his or her license and scope of practice, as necessary, to carry out the functions of the office of the public health director. The qualifications shall reflect the resources and needs of the county or counties covered by the agency. If the public health director is not a physician, the county or district board shall employ or contract with at least one medical officer to advise the public health director on medical decisions.

Except as provided in section 1.3 of these rules, a public health director shall have the minimum experience and training standards set forth in subsections (2) or (3) of this section.

- (2) A Physician Director candidate shall:

- (a) Be licensed to practice medicine in the state of Colorado within six months of hire;
  - (b) Have graduated from an approved medical school (MD or DO) and preferably be certified by the American Board of Preventive Medicine or American Board of Osteopathic Preventive Medicine; and
  - (c) Have five years within the past ten years of successful and responsible administrative experience in public health or a closely related field, including at least two years experience in supervising public health professionals.
  - (d) A candidate with one year of graduate study in a recognized school of public health is preferred.
- (3) A Non-Physician Director candidate shall:
- (a) Have a master's degree in a public health discipline such as environmental health, health education, epidemiology, health administration/policy, biostatistics, etc; nursing, public administration, health administration or a closely related discipline; and
  - (b) Have five years within the past ten years of successful and responsible administrative experience in public health or a closely related field, including at least two years experience in supervising public health professionals.
  - (c) A nurse candidate shall be licensed to practice in the state of Colorado within six months of hire.
  - (d) Medical Officer: If the public health director is not a licensed physician, a designated medical officer (advisor) shall be employed or contracted (paid or volunteer) by the district or county board of health to advise the public health director on medical decisions and be available at all times to the public health director. The medical officer must be a graduate from an approved medical school (MD or DO) and licensed to practice medicine in the state of Colorado.

**1.3 Substitutions and Waivers:**

(1) Substitutions

The county or district board of health, may substitute year for year professional public health work experience for certain academic requirements or exceptional academic preparation for certain experience requirements when a candidate is otherwise prepared to carry out the duties of a public health director. Within 30 days of substituting the requirements, the county or district board of health shall submit the information upon which the substitution was allowed to the state board of health for review.

- (a) The state board of health shall review the substitution within 90 days of receipt of the information. Beginning July 1, 2009, the state board of health shall consider the following:
  - (i) The relevance of the experience or education to the duties contained above in 1.1;
  - (ii) The resources and needs of the county or district.

If the state board of health determines that the substitution of experience does not meet the criteria contained in (1) (a), the state board of health shall notify the county or district board of health and direct the department to work with the county or district board of health to develop a mutually agreed upon solution.

(2) Waivers

The county or district board of health may waive the minimum qualifications set forth in these rules. Within 30 days of allowing the waiver, the county or district board of health shall submit waiver information to the state board of health for review.

- (a) The state board of health shall review the waiver within 90 days of receipt of the waiver information. Beginning July 1, 2009, the state board of health shall consider the following:
  - (i) The population of the jurisdiction for the county or district served and its ability to recruit a qualified candidate;
  - (ii) Whether the candidate for public health director will seek to obtain additional public health education and experience within five years of the waiver; and
  - (iii) The county or district board of health has explored joining with a county or establishing a district public health agency with a qualified public health director.

If the state board of health determines that the waiver does not meet the criteria contained in (2)(a), the state board of health shall notify the county or district board of health and direct the department to work with the county or district board of health to develop a mutually agreed upon solution.

- (3) Substitutions and waivers made before July 1, 2008 and approved as appropriate by the state board of health under 6 CCR 1012-1 will remain in effect.