



TEXAS
Health and Human
Services

Partnerships in Public Health

**Local Health Departments
& Public Health Regions**

Health Authority (HA)



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- A Health Authority (HA) is an appointed physician to administer state and local laws related to public health within its jurisdiction
- When there is no LHD, the municipality/county shall appoint a physician as HA
- When there is no appointed HA, then DSHS Regional Medical Director is the HA
- HA may delegate power/duty to qualified physician if HA is absent or incapacitated

Health Authority (HA)

Duties:

HSC 121.024

- Establishing, maintaining, and enforcing quarantine in the health authority's jurisdiction
- Aiding DSHS in relation to local quarantine, inspection, disease prevention and suppression, birth and death statistics, and general sanitation in the health authority's jurisdiction
- Reporting the presence of contagious, infectious, and dangerous epidemic diseases in the health authority's jurisdiction to DSHS in the manner and at the times prescribed by DSHS
- Reporting to DSHS on any subject on which it is proper for DSHS to direct that a report be made
- Aiding DSHS in the enforcement of certain rules and laws in the health authority's jurisdiction.



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Local Health Department (LHD)

- A governing body of a municipality or a the commissioners court of a county **may** establish a LHD
- A director is appointed for the LHD
- If the director is a physician, then it is the Health Authority (HA) in that jurisdiction

Director = Physician = HA

- If director is not a physician, the director will appoint a physician as the HA subject to approval

Director ≠ Physician ≠ HA

Director appoints physician to be HA



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Local Health Department (LHD)

Duties:

- All duties prescribed to a health authority
- LHDs perform public health functions based upon jurisdiction role and community needs and availability of funding
- The LHD takes the lead and DSHS Public Health Regions (PHR) provides support, technical assistance, and supplemental public health services



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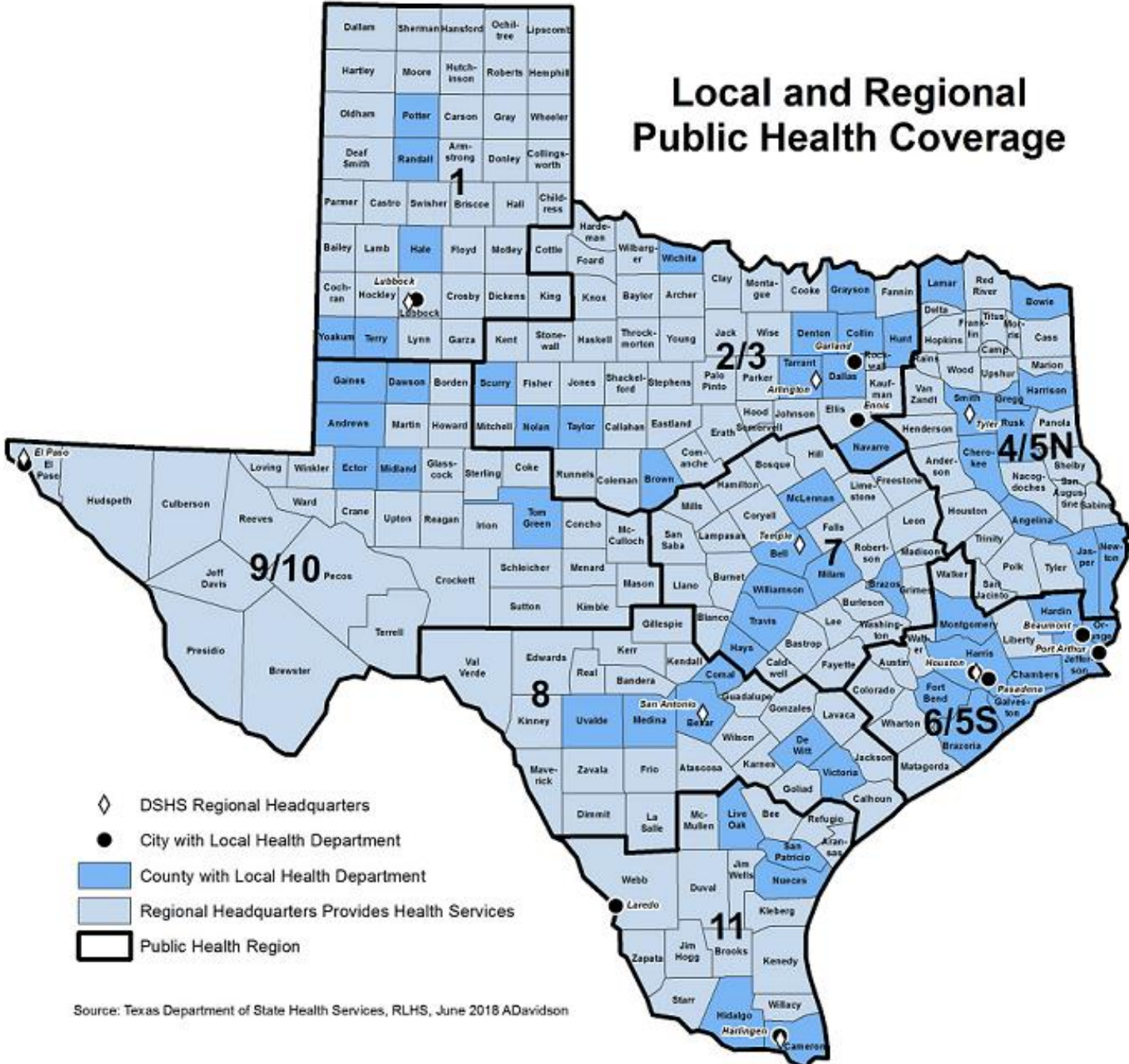
Public Health Regions (PHRs)



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- Texas is divided into 8 Public Health Regions (PHRs)
- A physician is appointed in each PHR as the Regional Medical Director
- Where there's a local health department (LHD), DSHS PHR offices provide support, technical assistance, and supplemental public health services
- Where there's no LHD, PHRs provide public health services
- DSHS legal does not provide legal advice to the county or LHD

Local and Regional Public Health Coverage



Source: Texas Department of State Health Services, RLHS, June 2018 ADavidson

Local Health Departments & Public Health Regions

“Public Health Services”

- Personal health promotion and maintenance services
- Infectious disease control and prevention services
- Environmental and consumer health programs
- Public health education and information services
- Administrative services
- Health and Safety Code Section 121.006 (d)



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Role of Public Health Region

- Provide public health services
- Serve as Local Health Department when required/perform LHD functions when the LHD is unable
- Serve as the Local Health Authority for local jurisdictions without an appointed authority
- Provide support and technical assistance to local health departments or local health districts
- Conduct regional public health planning, preparedness and response activities

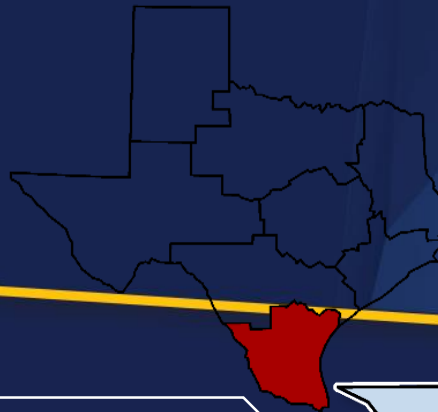


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PHR 11



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Cameron County

Cameron County Health Department

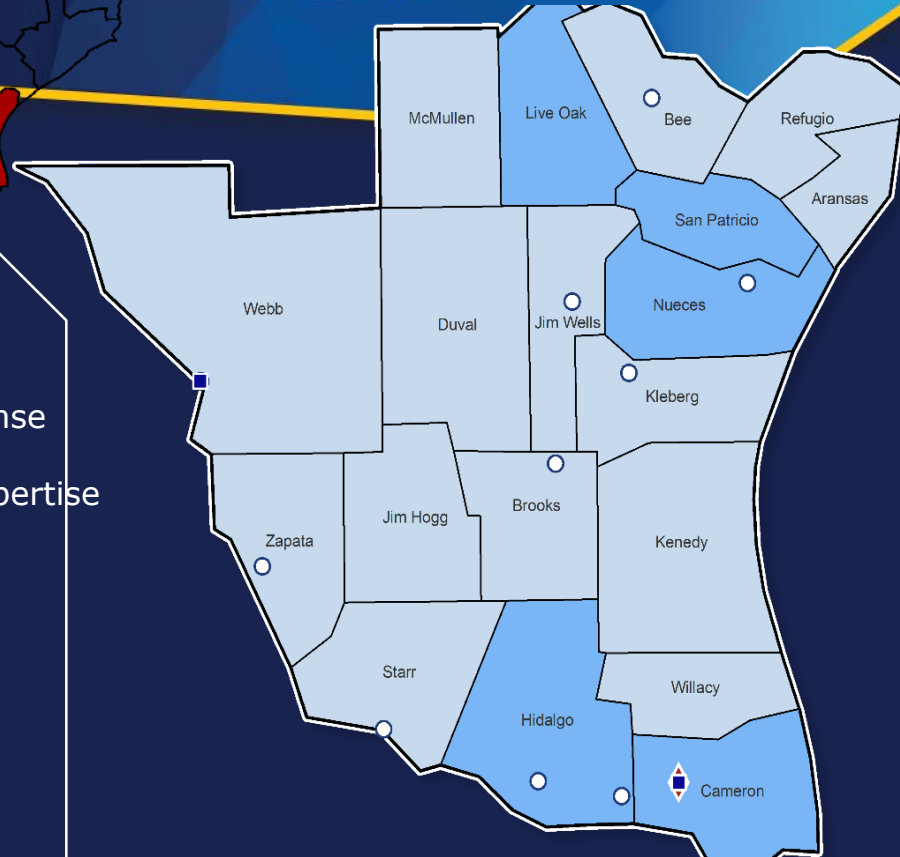
- [Children & Pregnant Women](#)
- [Children with Special Health Care Needs Case Management Program](#)
- [Environmental Health](#)
- [Family Learning Centers](#)
- [Immunizations](#)
- [Indigent Health Care](#)
- [Maternal and Child Health Services](#)
- [Mental Health Care Navigation Program \(MHCNP\)](#)
- [Public Health Emergency Preparedness](#)
- [Sexually Transmitted Disease Program](#)
- [Tuberculosis Elimination](#)
- [W.I.C. \(Women Infants & Children\)](#)

DSHS PHR 11

- TB consult
- Epi support
- Emergency Response Support
- Subject Matter Expertise

Brownsville: Animal Control, Food Safety, Vector, Code

South Padre Island: Food Safety, Code



	Regional Headquarters		County with Local Health Department
	Satellite Office		Regional Headquarters Provides Health Services
	City with Local Health Department		

Question 1

If there is no local health department (LHD), who is the health authority?



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Question 1

If there is no local health department (LHD), who is the health authority?

The municipality/county will appoint a physician as the HA



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Question 2

Who is the health authority if there is an LHD and the director of the LHD is a physician?

What if the director is not a physician?



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Question 2

Who is the health authority if there is an LHD and the director of the LHD is a physician?

What if the director is not a physician?

- The LHD's physician director is the HA
- The non-physician director will appoint a physician to be HA



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Question 3

Who is the health authority if the HA is absent or incapacitated?



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Question 3

Who is the health authority if the HA is absent or incapacitated?

- If no LHD, HA can appoint any properly qualified physician
- If there is an LHD, HA will appoint physician employed by LHD



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Question 4

Who is the health authority if there is no LHD and no HA is appointed?



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Question 4

Who is the health authority if there is no LHD and no HA is appointed?

DSHS Regional Medical Director



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Who is the Health Authority?

Situation	Health Authority
No LHD	The municipality/county will appoint a physician HSC 121.028
LHD's Director = Physician	LHD's Director HSC 121.033(b)
LHD's Director ≠ Physician	LHD's Director will appoint physician with approval HSC 121.033(d)
HA is absent or incapacitated	HA can appoint properly qualified physician* HSC 121.029/121.0331
No appointed HA	DSHS Regional Medical Director HSC 121.007(c)

Question 5

There is a tuberculosis (TB) patient who refuses to take her TB medication. The patient lives in Harris County, which has a local health department (LHD) with a director who is a physician.

Who is the health authority?



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Question 5

There is a tuberculosis (TB) patient who refuses to take her TB medication. The patient lives in Harris County, which has a local health department (LHD) and has a director who is a physician.

Who is the health authority?

Harris County LHD's director



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Question 6

There is a tuberculosis (TB) patient who refuses to take her TB medication. The patient lives in Harris County, which has a local health department (LHD) with a director who is a physician.

What are the roles and responsibilities of the Harris County LHD and DSHS regional health offices in dealing with this non-compliant TB patient?



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Question 6

There is a tuberculosis (TB) patient who refuses to take her TB medication. The patient lives in Harris County, which has a local health department (LHD) with a director who is a physician.

What are the roles and responsibilities of the Harris County LHD and DSHS regional health offices in dealing with this non-compliant TB patient?



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- Harris County LHD takes the lead in the next steps of the non-compliant TB patient. The LHD will work with the County or District Attorney's office and LHD's own attorneys.
- However, the LHD has to coordinate with DSHS in order to secure a concurrence and facility designation on where to send the patient.
HSC 81.158 & 81.159
- DSHS will provide support or supplemental resources but will not provide legal advice to the LHD in all other aspects.



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Thank you

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Partnerships in Public Health

**A Public Health Legal
Perspective**

Effective Partnership

From this...



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Effective Partnership

To this....



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Effective Partnership

While avoiding this...



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A public health partnership



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- What can I share?
- When can I share it?
- Who can I share the information with?
- How do I share it?



The What



What relevant information do I have?

- Protected Health Information
- Confidential under state statute
- Confidential under grant requirements
- Statistical Information for public use



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The When



What is the climate?

- Is this an ongoing outbreak Investigation?
- Is this a general records request?
- Is this a during a declared disaster?



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The Who



Who is requesting information?

- DSHS or a state agency?
- Local Health Department?
- Federal Government (i.e. CDC)?
- Law Enforcement?
- Public?



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The How



How can I share this information?

- Confirm the information can be released
- Check to see if there is an approved transfer protocol or method
- If protected – Send secure and encrypted



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Public Health vs. Privacy

- Protecting the health of a population without violating the rights of an individual



The Law



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- Health Insurance Portability and Accountability Act (HIPAA)
 - Am I a covered entity?
- Health and Safety Code
 - Section 81.046/ Chapter 181
- Texas Business and Commerce Code Section 521.053



Scenario One



Harry P works as an epidemiologist in the Hogwarts health department. His office just received notice of a confirmed case of Snape syndrome, a reportable foodborne illness, in Griffindyor High school. Harry P consults his Emerging and Acute Infectious Disease Guidelines but still isn't sure who he should share the case information with.

What should Harry do?



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Scenario one



1. What type of information does Harry P have?
2. What is the current climate?
3. Who is the proper authority to report to?
4. How should Harry report this information
5. Can Harry tweet this information to his buddy Ron who teaches at Griffindyor high?



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Scenario Two



Carol Danvers works in the Emerging and Acute Infectious Disease Branch at DSHS. She has been involved in an ongoing investigation of a S.H.I.E.L.D outbreak in Hala county. Carol receives a request from Talos, a resident of Hala, for “any and all” case notes the department has on the ongoing cases. Talos is concerned because he heard about the outbreak on the news.

How should Carol handle this request?



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Scenario two



1. What type of information does Carol have?
2. What is the current climate?
3. Who is asking for the information?
4. Who should Carol work with on this request?



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Scenario Three



Blanche works in the Magnolia Local Health Department's infectious disease section. Hurricane Dorothy just hit the coast during an outbreak of Zbornak disease. Both the governor and the Health commissioner have declared disasters. Blanche is now receiving phone calls from local law enforcement in the affected area about any specific cases to help avoid possible exposures. How should Blanche respond?



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Scenario Three



1. What type of information does Blanche have?
2. What is the current climate?
3. Who is asking for the information?
4. How should she release the information?



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A way forward



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Thank you
