

Proposed Health Matters Charter Language

Article IV. Departments and Offices; Division 2. Departments, Section 417 (new section)

Public Health Matters

It is recognized that regardless of its governance or structure, regardless of where specific authorities are vested or where particular services are delivered, everyone, no matter where they live, should reasonably expect the city to meet certain standards. It is also recognized that there will always be concern for the public health of all residents, neighborhoods, and visitors to the City of Kansas City, Missouri. Therefore, the Council shall provide by ordinance for at least one department whose duties include in whole, or in part, protecting the health of Kansas City residents and its visitors.

a) Duties:

1. Regulation of the public health.

- A. Enforce laws.** Enforce all laws relating to public health, and may make rules and regulations for preserving and promoting the public health, provision of indigent health care; including taking all measures necessary to avoid, suppress or mitigate disease and relieve distress caused by disaster or acts of terrorism.
- B. Nuisance abatement.** That the designated department director shall have the power to cause any nuisance detrimental to health to be abated or removed. The cost of abatement may be assessed and collected as a special tax and be a lien on the property affected thereby, in the manner provided by ordinance.
- C. Entry into property.** The designated department director may enter all property necessary to enforce all laws relating to public health and for purposes of providing for the avoidance, suppression or mitigation of disease, and abatement of nuisances and other unhealthy conditions.
- D. Community Engagement.** That the designated department engage the community in developing public health policies in implementing Kansas City Community Health Improvement Plan in conjunction with the Health Commission.

2. Other assigned duties. Perform such other duties as may be prescribed by law.

Proposed New Charter Language for the department

Article IV. Departments and Offices; Division 2. Departments, Section 409

Sec. 409. Health.

(a) *Duties.* There will exist a Health Department, under the supervision of a Director of Health, to perform the following duties:

(1) *Regulation of the public health.*

(A)

Enforce laws. Enforce all laws relating to public health, and may make rules and regulations for preserving and promoting the public health, provision of indigent health care; including taking all measures necessary to avoid, suppress or mitigate disease and relieve distress caused by disaster or acts of terrorism.

(B)

Nuisance abatement. The Director of Health shall have power to cause any nuisance detrimental to health to be abated or removed. The cost of abatement may be assessed and collected as a special tax and be a lien on the property affected thereby, in the manner provided by ordinance.

(C)

Entry into property. The Director of Health may enter all property necessary to enforce all laws relating to public health and for purposes of providing for the avoidance, suppression or mitigation of disease, and abatement of nuisances and other unhealthy conditions.

(D)

Community Engagement. *That the designated department engage the community in developing public health policies in implementing Kansas City Community Health Improvement Plan in conjunction with the Health Commission.*

(2) *Other assigned duties.* Perform such other duties as may be prescribed by law.

(b) *Appointment.* The Director of Health shall be appointed by the City Manager and have special training and experience in public health work and be a graduate of a recognized school of public health.

Editor's note—

This section becomes effective on March 1, 2007.

ARTICLE XI. BOARDS AND COMMISSIONS

DIVISION 6. HEALTH COMMISSION

Sec. 1141. Commission Established.

There shall be a Health Commission consisting of seventeen members appointed by the Mayor to server terms of three years. The Mayor shall appoint Commission Co-Chairs, one (1) Commissioner, one (1) Kansas City Council member serving on a City Council Committee that oversees health issues, and the Director of Health for Kansas City serving as a nonvoting Ex-Officio Co-Chair. In addition, the Health Commission shall have one (1) Vice Chair, to be selected by a majority vote of the Commission. The term of office of the Health Commissioner Co-Chair who is not a council member will be two (2) years. At the conclusion of his or her term of office, the co-chair may continue as a member of the Health Commission. The council member co-chair serves at the pleasure of the Mayor. The term of office of the selected Vice Chair shall be two (2) years. The Vice Chair may be selected for one additional two (2) year term.

Sec. 1142. Duties.

(a) Planning: the Commission shall have the power and duty to:

- (1) Provide structure and oversight for the cyclical development, implementation and evaluation of a Community Health **Improvement Plan and Community Health Assessment for the City of Kansas City, Missouri;**
- (2) **Recommend the development of new policies, resources, and infrastructure necessary to maintain an accredited public health agency or Ensure Kansas City's public health services are provided by a nationally accredited public health agency or ensure residents have access to services from a nationally accredited public health agency.**
- (3) Aiding in the development of prevention and risk reduction strategies;
- (4) Ensuring ongoing, systemic modifications that provide increased access and improved care;
- (5) Ensuring current policies, resources, and infrastructures are strengthened and recommending the development of new policies, resources, and infrastructure, to prepare for and respond to new public health and health care concerns;
- (6) Ensuring the effective pursuit of good health as a basic human service for Kansas City (MO) residents and visitors; and
- (7) Advising the Mayor, City Council, City Manager, and Director of the Health Department, on public health matters and policies (pending advice from legal department).
- (8) Achieve a city-wide collaboration and partnership of organizations and individuals to work together to build a healthier community.

(b) **Legislation. The commission shall recommend municipal, state, and federal legislation as may be necessary to carry out its plans.**

Sec. 1143. Commission Committees; bylaws.

The Commission shall establish committees and bylaws to fulfill its purpose.

Sec. 1144. Removal of Commissioners.

The Health Commission Co-Chairs shall recommend to the Mayor and Director of Health the removal of a Health Commissioner for cause or failure to meet the attendance requirement.

Sec. 1145. Annual Report to the Mayor and City Council.

The Health Commission shall provide an annual report of Health Commission activities to the Mayor and City Council. The annual report shall be provided no later than the end of February of the following calendar year.

Sec. 1146. Public Statements.

The Health Commission has authority to make public statements on matters of concern to the health and quality of life for Kansas City residents. All public statements must be authorized by a majority vote of the full Health Commission.

Sec. 1147. Staff Services.

The Director of Health shall provide clerical and administrative services to the Health Commission.

Sec. 1148 Reserved.