

**JEFFERSON COUNTY BOARD OF HEALTH
LOCAL RULES, POLICIES, AND PROCEDURES**

1. General

- 1.1 Purpose and Scope – the following local public health rules, policies, and procedures have been established over time since the inception of the Jefferson County Board of Health in 1960. The purpose of this document is to revise and formally adopt rules, policies, and procedures to comply with WV Code § 16-2 and Title 62, Series 73, standards for Local Boards of Health. The primary responsibility of the Jefferson County Board of Health is to enforce and execute those laws, rules, policies, and standards of the State of WV, and its agencies, for which it is granted the authority. The intent of this document is to add to, enhance, clarify where needed, address vital public health issues, and establish administrative procedures required by the Board of Health Standards.
- 1.2 Authority – WV Code § 16-2-11
- 1.3 Approval Date – 9/11/2020
- 1.4 Effective Date – 9/11/2020

2. Administrative

- 2.1 Personnel Policies – The Jefferson County Board of Health adopts and abides by the personnel policies of the WV Department of Health and Human Resources (DHHR) and the WV Division of Personnel (DOP) (2/7/97).
- 2.2 Overtime – Employees required by their employer to do evening, weekend, or holiday work shall have a revised work schedule approved by their supervisor of his or her designee negating the need for overtime compensation or the accrual of compensatory time. Supervisory and-or essential personnel may be required to work, without overtime compensation, during emergencies or due to extenuating circumstances. The Board of Health has delegated the authority to the Physician Director and Administrator to approve overtime on an as-needed basis.
- 2.3 Signing In/Out – All employees leaving the facility during their normal workday shall sign out, regardless of the reason, and sign in upon return on a prescribed sign in/sign out form.
- 2.4 Operating Hours – The operating hours of the Jefferson County Health Department are 8:00AM to 4:00PM, Monday through Friday (8/3/18).
- 2.5 Vice-Chairman – The Board of Health officers shall include a chairman and vice-chairman. (2/3/95)

- 2.6 Authority to Sign Checks – Checking is controlled and monitored by the Sheriff of Jefferson County through the Tax Office. All checks require 3 signatures as follows: Health Officer, Chairman or Vice-Chairman, and the Sheriff.
- 2.7 Authority to Handle Cash – The clerical staff (Office Assistants) have the primary responsibility to accept cash payments and print receipts. No nurse or sanitarian may accept payments of cash or check under any circumstances.
- 2.8 Tobacco – The use of tobacco products is prohibited within the Health Department facility and cannot be used within twenty feet (4/11/08).
- 2.9 Bad Checks – Bad checks are handled by the Tax Office.
- 2.10 Freedom of Information Act Requests – Individuals making a FOIA request must read and abide by the rules expressed in the FOIA policy adopted by the Jefferson County Board of Health on April 11, 2008. A charge of 25 cents per page to make copies of information shall be charged as well as a fee for the search time to located documents to individuals making a Freedom of Information Act request for documents.
- 2.11 Board Member Compensation – Voting Board of Health Members shall be compensated at the rate of \$10.00 per meeting attended and be paid twice a year (6/7/74, 8/3/01, 4/11/08)
- 2.12 Travel Expense Approval – The Chairman and/or the Health Officer shall approve individual travel expense reimbursement forms (7/1/83). Travel expenses shall be reported on a reimbursement request form prescribed by the Board of Health and reimbursement shall be made to employees within 30 days of receiving the completed request for reimbursement form.
- 2.13 Agenda, Minutes in Advance – Members of the Board of Health shall be provided with a copy of the agenda and previous meetings minutes in advance (at least one week and no less than 3 days prior to the next Board of Health meeting 7/7/95 and 4/11/08). All requests to have items placed on the agenda must be done no later than 1 week prior to the meeting. The agenda will be posted at the Jefferson County Courthouse and at the Jefferson County Health Department five business days prior to the meeting.
- 2.14 Prompt Payment, Daily Deposits – Vendors shall be paid within 60 days of being invoiced. Deposits of fees shall be made by the first business day after having \$500.00 or more in deposits (7/7/95).
- 2.15 Meal Periods – Employees shall schedule lunch breaks so that staff is available at all times during the work day allowing for continuous operation.

2.16 Personal Phone Calls/Visitors – Employees shall keep personal phone calls and visitations to a minimum and, in no case shall an employee’s personal matters interfere with customer service.

3. Personal Health/Medical

3.1 Patient/Client Referral – Patients shall be referred to healthcare providers as needed and appropriate.

3.2 Confidentiality/Release of Information – No information obtained by the staff about individuals receiving services may be disclosed without the individual’s written consent, except as required by law or as necessary to provide services to the individual, with appropriate safeguards for confidentiality. Information may otherwise be disclosed in summary, statistical, or other form that does not identify the individual.

3.3 Consent to Provide Services – Services shall be provided to individuals with the individual’s informed consent.

3.4 Approval of Standing Orders/Medical Directives – The Health Officer shall review standing orders and medical directives annually assuring that they are accurate, appropriate, necessary, and have written approval.

4. Environmental Health

4.1 Fees for Permits – The Board of Health requires fees for certain permits and environmental health services (2/1/91).

4.2 Food Workers –

Food Protection Managers – Effective August 30, 2019, whenever food is being prepared or served in food establishments (including temporary food establishments), the “person in charge” on the premises shall be a currently certified Food Protection Manager through one of the WV Approved ANSI/CFP-accredited Food Protection Manager certification programs. A waiver of this requirement may be made for temporary food vendors serving only prepackaged foods if they possess a current Jefferson County or West Virginia statewide food handler card.

Food Handlers – Effective January 1, 2019, every food handler in Jefferson County shall possess a current food handler card issued by the Jefferson County Health Department or a statewide food handler card issued by another West Virginia jurisdiction. A food handler card shall not be issued unless the person has

completed either a food handler training course conducted by the Jefferson County Health Department or an online ANSI-accredited food handler training course within the previous 30 days.

- 4.3 Wells in Public Water Service Areas – Permits for individual wells shall not be issued in areas served by public water nor in subdivisions or developments originally designed or approved for individual, or on-site sewage systems based on public water serving the subdivision or development. Geothermal wells will be permitted as long as the design of the well does not include surface discharge or any other secondary use.
- 4.4 Septic Tank Pumping – Prior to approval of a septic system for a home loan approval request or for the Jefferson County Planning Commission, the septic tank must be pumped by an approved septic tank cleaner and be in satisfactory condition unless pumped within the previous 12 months or received less than one year's use since last pumped (7/11/86)
- 4.5 Written Complaints Required – Public health complaints shall be in writing and signed by the complainant(s) excepts for complaints against facilities within the Board of Health's inspectional jurisdiction (3/5/82, 4/2/82).
- 4.6 Fee for Water Samples – a fee of \$50.00 shall be charged for all routine water supply evaluations and sampling or sewage system evaluations not part of an official disease or justified complaint investigation (11/4/88, Env. Health proc. A-21, Annual Program Plan).
- 4.7 Sewage Absorption Beds – Permits for sewage absorption beds (including beds using Eljen geotextile sand filter systems) shall only be issued for repair of failing onsite sewage disposal systems where there is insufficient area for any other type of repair not requiring a surface discharge.
- 4.8 All lots for single-family homes created after 09-14-2020, must contain a minimum set-aside (reserve) area of 10,000 square feet of useable area for sewage disposal or an approval shall not be issued. All septic reserve areas and well sites must be delineated on a certified survey plat in accordance with Jefferson County WV Office of Planning and Zoning Regulations. When an application for a septic permit is made for a non-residential structure or a single-family home that is 5 bedrooms or larger, the septic reserve area shall be at least 10,000 square feet and large enough to accommodate the initial septic system and a 100% replacement area for the type of septic system proposed.

This rule shall not apply retroactively to subdivisions previously approved by the Jefferson County Health Department. When the owner of a previously approved subdivision lot wants to reduce the size of their septic reserve area, a reserve

change fee and four (4) copies of certified survey plats with the proposed septic reserve area shall be required, new observation pits for soil evaluation shall be dug, and a new percolation test shall be performed.

- 4.9 General Site Area – Permits for individual wells and/or sewage systems for new construction shall only be issued where there is sufficient area for their establishment contained within the lot.
- 4.10 Installation of Individual Sewage Systems – All individual sewage systems must be installed by a WV Certified Septic installer with a current WV Contractor’s License and a WV Workman’s Compensation fund per the Chesapeake Bay Watershed Initiative.
- 4.11 The layout of each septic reserve area shall be such that the entire area is undisturbed and useable for the type of system for which approval is given. There shall not be any rock outcrops, areas of unsuitable soil, or drainageways or swales within a septic reserve area. The top and bottom boundaries of the septic reserve area shall be on contour. Reserve areas may not have areas within their boundaries (cut outs) that are excluded from the usable area being delineated. Where multiple areas are used, each shall be at least 3,000 square feet in size.
- 4.12 No more than six (6) drainfield lines may be stacked down a slope where the slope exceeds five percent (5%) unless an enhanced flow, low pressure piping (LPP), or drip irrigation system is used.
- 4.13 A minimum of four (4) percolation test holes shall be placed at equal distances over the entire absorption field (reserve area) site. If the results of the tests are reasonably close, it shall be considered an average test result. If the tests results show extreme variations, it may be considered necessary to relocate the field in a more suitable area.

5. Exceptions

- 5.1 The Board of Health retains the right to determine any exceptions to the rules, policies, and procedures listed herein where it is within its sole authority to do so and in a manner consistent with requirements of the state regulations.

6. Due Process

- 6.1 Any member of the public adversely affected by the application of these rules, policies, and procedures has the right to appeal and have a hearing before the local Jefferson County Board of Health consistent with Title 64, Series 1, Rules of Procedure for Contested Case Hearings and Declaratory Rulings.

6.2 Any Board of Health employee adversely affected by the application of these rules, policies, and procedures may seek relief through the WV Education and State Employees Grievance Procedure.

7. Severability

7.1 The provisions of these rules, policies, and procedures are severable. If any provisions are held invalid, the remaining provisions remain in effect.

Approved by Date.....

State of

County of

This record was acknowledged before me on by,
Chairman of Jefferson County Board of Health.

..... (Notary)

My Commission Expires: