

Md. HEALTH-GENERAL Code Ann. § 3-201

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*** Statutes current through Chapter 1 of the 2014 General Assembly Regular Session ***

HEALTH - GENERAL
TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 2. COUNTY BOARDS OF HEALTH

Md. HEALTH-GENERAL Code Ann. § 3-201 (2014)

§ 3-201. County governing body or designated board

(a) In general. -- Except as provided in subsection (b) of this section, the governing body of a county is ex officio the board of health for the county.

(b) Code or charter county. -- In a code county or charter county, the governing body is ex officio the board of health for the county, unless the governing body establishes a board of health.

HISTORY: An. Code 1957, art. 43, § 45; 1982, ch. 21, § 2.



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HEALTH - GENERAL
TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-301 (2014)

§ 3-301. Offices established

(a) In general. -- There is a **health officer** for each county.

(b) Holding multiple offices. -- Subsection (a) of this section does not prevent an individual from serving as a **health officer** for more than 1 county.

HISTORY: An. Code 1957, art. 43, § 51A; 1982, ch. 21, § 2.



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Md. HEALTH-GENERAL Code Ann. § 3-302

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HEALTH - GENERAL
TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-302 (2014)

§ 3-302. Appointment; qualifications; oath; removal

(a) In general. -- The **health officer** for a county shall be nominated by the county and appointed by the Secretary.

(b) Nomination procedures. -- The governing body of each county shall establish, by ordinance or resolution, the process by which the county nominates an individual for **health officer**.

(c) Appointment or rejection of nominee. --

(1) If the Secretary finds that a nominee meets the qualifications of this section, the Secretary shall appoint the nominee as **health officer**.

(2) If the Secretary finds that the nominee does not meet the qualifications of this section, the Secretary shall reject the nomination, and the county shall provide the Secretary with another nomination.

(d) Qualifications. -- Each **health officer**:

(1) Shall have:

(i) A master's degree in public health and at least 2 years' work in the field of public health;
or

(ii) At least 5 years' work in the field of public health;

(2) Shall have any other qualifications and training in the field of public health that the Secretary requires by rule or regulation; and

(3) Need not be a physician, if the **health officer** has a deputy who:

(i) Is a physician; and

(ii) Meets the qualifications of this subsection.

(e) Oath. -- Before taking office, each appointee to the office of **health officer** shall take the oath required by Article I, § 9 of the Maryland Constitution.

(f) Responsibility to county governing body and Secretary. -- The **health officer** for a county serves at the pleasure of the governing body of that county and the Secretary.

(g) Removal. -- The **health officer** for a county may be removed from office with the concurrence of the governing body of that county and the Secretary.

HISTORY: An. Code 1957, art. 43, § 51A; 1982, ch. 21, § 2; 2004, ch. 25, § 6.



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TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-303 (2014)

§ 3-303. Restrictions

(a) Private practice. -- If a **health officer** or deputy of a **health officer** is a physician, the **health officer** or deputy may practice medicine with the approval of the local governing body.

(b) Notice of approval. -- The local governing body shall notify the Secretary of its approval.

HISTORY: An. Code 1957, art. 43, § 51C; 1982, ch. 21, § 2; 1995, ch. 507.



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HEALTH - GENERAL
TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-304 (2014)

§ 3-304. Compensation; special appointment status

(a) Compensation and reimbursement for expenses. -- The **health officer** for a county is entitled to:

(1) The salary provided in the State budget;

(2) Reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget; and

(3) Any additional salary that the county provides.

(b) Special appointment status. -- Except as otherwise provided by law, each **health officer** is a special appointment in the State Personnel Management System.

HISTORY: An. Code 1957, art. 43, § 51A; 1982, ch. 21, § 2; 1993, ch. 22, § 1; 1997, ch. 743.



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HEALTH - GENERAL
TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-305 (2014)

§ 3-305. Annual evaluation

(a) Evaluation procedures. --

(1) The governing body of each county shall establish, by ordinance or resolution, the process by which the county evaluates its **health officer**.(2) The Secretary shall establish, by rule or regulation, the process by which the Secretary evaluates **health officers**.

(b) Annual evaluation required. --

(1) At least annually, the **health officer** for a county shall be evaluated, in writing, by the Secretary and by the county.(2) The Secretary and the county each shall review their respective evaluations of a **health officer with the health officer**.**HISTORY:** An. Code 1957, art. 43, § 51B; 1982, ch. 21, § 2.About LexisNexis | Privacy Policy | Terms & Conditions | Contact Us
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Md. HEALTH-GENERAL Code Ann. § 3-306

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HEALTH - GENERAL
TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-306 (2014)

§ 3-306. Powers and duties

(a) In general. -- Except as provided by agreement between the Secretary and the local governing body, and in addition to the powers and duties set forth elsewhere, each **health officer** has the powers and duties set forth in this section.

(b) Food and drug samples. -- A **health officer** may obtain samples of food and drugs for analysis.

(c) Duties. --

(1) The **health officer** for a county is the executive officer and secretary of the county board of health.

(2) Except in Montgomery County, the **health officer** for a county shall appoint the staff of the county health department.

(3) The **health officer** for a county shall have an office at an accessible place in the county.

(4) (i) The **health officer** for a county shall enforce throughout the county:

1. Under the direction of the Secretary, the State health laws and the policies, rules, and regulations that the Secretary adopts; and

2. Except as provided in subparagraph (ii) of this paragraph, under the direction of the county board of health, the rules and regulations that the county board of health adopts.

(ii) The **health officer** for a county shall enforce in each municipality or special taxing district in the county the rules or regulations that the county board of health adopts unless the municipality or district has a charter provision or ordinance that:

1. Covers the same subject matter as the county rule or regulation;
2. Is at least as restrictive as the county rule or regulation; and
3. Includes provisions for enforcement.

(5) A **health officer** shall perform any investigation or other duty or function directed by the Secretary or the county board of health and submit appropriate reports to them.

(d) Authority to enter into contracts or agreements for delivery of health care services. -- Subject to the consent of the governing body of the county and the written approval of the Secretary, a **health officer** for a county may enter into a contract or any other written agreement to assist or participate in the delivery of health care services with a person that is authorized to provide, finance, coordinate, facilitate, or otherwise deliver health care services in the State.

(e) Delegation of duties, powers, etc. -- The Secretary may delegate duties, powers, and functions as provided in this article to a **health officer** for a county or other county official authorized to administer and enforce health and environmental laws.

HISTORY: An. Code 1957, art. 43, §§ 51D, 51E; 1982, ch. 21, § 2; 1987, ch. 306, § 3; 1996, ch. 476; 2011, chs. 235, 236.

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TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-306.1 (2014)

§ 3-306.1. Notification of application of licensure or certification of facilities or programs in Howard County.

(a) Applicability. -- This section applies only in Howard County.

(b) Notification of **health officer** by Secretary. -- The Secretary shall notify the county **health officer** when the Department receives an application for licensure or certification for a health facility or program that will serve 16 or more individuals.

(c) Notification of county council. -- If the county **health officer** receives notice under subsection (b) of this section, then the county **health officer** shall notify the county council.

HISTORY: 2005, ch. 81.

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SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-307 (2014)

§ 3-307. Right of entry

(a) Private houses. -- In the performance of official duties, a **health officer** may enter and inspect any private house if the **health officer**:

(1) Has obtained consent to enter and inspect;

(2) Has obtained a warrant; or

(3) Does not have time or opportunity to obtain a warrant and an exceptional or emergency situation exists.

(b) Places of business. -- In the performance of official duties, a **health officer** may enter any place of business or employment.

HISTORY: An. Code 1957, art. 43, § 51E; 1982, ch. 21, § 2.



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TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-308 (2014)

§ 3-308. Temporary assignment

If a health emergency exists, the Secretary may assign temporarily a **health officer** to another county or Baltimore City.

HISTORY: An. Code 1957, art. 43, § 51E; 1982, ch. 21, § 2.



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HEALTH - GENERAL
TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-309 (2014)

§ 3-309. Conferences

Whenever necessary, the Secretary may:

- (1) Call a public conference of **health officers**; or
- (2) Send a delegate to any conference of **health officers**.

HISTORY: An. Code 1957, art. 43, § 31; 1982, ch. 21, § 2.



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TITLE 3. COUNTY BOARDS OF HEALTH; **HEALTH OFFICERS**
SUBTITLE 3. **HEALTH OFFICERS**

Md. HEALTH-GENERAL Code Ann. § 3-310 (2014)

§ 3-310. Applicability of terms to Montgomery County

Unless otherwise provided by State law or regulation, as each reference to a county health department or local health department in the Code applies to Montgomery County, the term means the Montgomery County government.

HISTORY: 1996, ch. 476.



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HEALTH - GENERAL
TITLE 4. STATISTICS AND RECORDS
SUBTITLE 2. VITAL STATISTICS AND RECORDS

Md. HEALTH-GENERAL Code Ann. § 4-202 (2014)

§ 4-202. Registrars of vital records

(a) State registrar. -- The Secretary shall appoint a State registrar of vital records, who shall be in the skilled service of the State Personnel Management System.

(b) Local registrars. -- The **health officer** for a county is the registrar of vital records for the county.

HISTORY: An. Code 1957, art. 43, § 15; 1982, ch. 21, § 2; 1993, ch. 22, § 1; 1997, ch. 743.



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