

Janet T. Mills
Governor

Sara Gagné-Holmes
Commissioner



Maine Department of Health and Human Services
Maine Center for Disease Control and Prevention
11 State House Station
286 Water Street
Augusta, Maine 04333-0011
Tel; (207) 287-8016; Fax (207) 287-2887
TTY: Dial 711 (Maine Relay)

March 24, 2025

Senator Ingwersen, Chair
Representative Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 650 – *An Act to Support Municipal Public Health*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, thank you for the opportunity to provide information neither for nor against LD 650, *An Act to Support Municipal Public Health*.

LD 650 replaces a section of law specific to the local board of health, a component of the public health infrastructure available to support municipalities. The intent of LD 650 is to clarify local board of health membership and authorities. While existing statute already allows for the municipal appointment of a local board of health, very few exist. A large number of Maine municipalities, especially smaller towns, are not in a position to support such a board. Many towns still find it challenging to fill the Local Health Officer role as required by 22 MRS §451(1).

Maine Center for Disease Control and Prevention (Maine CDC) does not take a position on the bill and offers the following for consideration.

Municipalities are not required to utilize a local board of health, which the current law describes as an advisory group of three members plus the local health officer. A local board of health is a municipality-appointed advisory body to the local health officer. Under current law, a municipality may utilize more than one Local Health Officer, full- or part-time; several municipalities have taken this opportunity, further expanding resources available to municipalities by accessing additional expertise in medicine and public health, code enforcement, environmental health, etc. Additionally, public health support is available through the Department and provided to Local Health Officers (LHOs”) and municipalities with and without a board of health (BOH). Maine CDC provides direct assistance, training and resources to support LHO work through core training and optional continuing education webinars; direct access to our District Public Health Liaisons; public health education and materials, and other public health resources; and assistance to municipalities as requested as they appoint and register with the State the LHOs they employ. Referrals are made as needed to connect municipalities to other resources throughout the Department, including the Office of Aging and Disability and the Office of Behavioral Health. Department staff also assist with referrals to other State resources such as Department of Agriculture, Conservation and Forestry and Department of Environmental Protection.

LD 650 expands the independence of the role of a local BOH, including expressly permitting the BOH to propose ordinances and advise local select boards and councils, potentially confusing the relationship of the municipality and LHO to the BOH. Though an appointed body, the BOH “authorities” section of the bill broadly applies authority of the board without also including,

specifically, the appointing municipality as the oversight authority or administrative passthrough.

Under the existing statute, a municipality can utilize more than one Local Health Officer, full- or part-time; several municipalities have taken this opportunity. In addition, the more recent amendment to 22 MRS § 451 allows for the appointment of an Associate LHO under the supervision of the LHO. These allow municipalities access to additional expertise in medicine and public health, code enforcement, environmental health or other.

In conclusion, LD 650 clarifies local board of health membership and authorities, and Maine CDC agrees with its intent to ensure support for addressing public health matters impacting cities and towns across the State. The proposed bill endeavors to widen the scope, gender representation and cultural diversity of membership. However, where the law does not require a municipality to appoint volunteers to serve on a local BOH, it is unclear whether more municipalities will establish a board at the level this bill language describes.

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,



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Director

Maine Center for Disease Control and Prevention

Maine Department of Health and Human Services