**MEMORANDUM**

TO: Health and Human Services Senior Leadership Team

FROM: Stoney Blevins, HHS Director

DATE: April 30, 2019

RE: **Delegation of Health and Human Services Director Duties**

Pursuant to N.C. Gen. Stat. §153A-77, the human services director of a consolidated county human services agency shall be appointed and dismissed by the county manager with the advice and consent of the consolidated human services board. The human services director shall report directly to the county manager. The human services director shall:

1. Appoint staff of the consolidated human services agency with the county manager’s approval.
2. Administer State human services programs.
3. Administer human services programs of the local board of county commissioners.
4. Act as secretary and staff to the consolidated human services board under the direction of the county manager.
5. Plan the budget of the consolidated human services agency.
6. Advise the board of county commissioners through the county manager.
7. Perform regulatory functions of investigation and enforcement of State and local health regulations, as required by State law.
8. Act as an agent of and liaison to the State, to the extent required by law.
9. Appoint, with the county manager’s approval, an individual that meets the requirements of N.C. Gen. Stat. § 130A-40(a).

Except as otherwise provided by law, the human services director or the director’s designee shall have the same powers and duties as a social services director, a local health director, or a director of an area mental health, developmental disabilities, and substance abuse services authority.

Pursuant to N.C. Gen. Stat. §108A-14(b)*,* “The health and human services director may delegate to one or more members of his staff the authority to act as his representative. The director may limit the delegated authority of his representative to specific tasks or areas of expertise.”

In addition to the Health and Human Services Director, Buncombe County HHS employs four Division Service Directors to lead our Clinical Health, Public (population) Health, Economic Services and Social Work Service Divisions. These staff all meet the state requirements of either a public health director or a social services director as defined by general statute and/ or NC OSHR standards. These Directors are thereby empowered, in the absence of the HHS Director, to respond to citizen inquiries, request for HHS Board members, the Board of Commissioners, County Management as well as state and federal officials. Pursuant to the statutory authority of N.C. Gen. Stat. §108A-14(b), the Buncombe County Director of Health and Human Services Director delegates to the following members of his staff the authority to act as his representative as set forth below:

**Public Health:**

The Health Director and the Medical Director are responsible for Public Health Services as set forth in the job description for those positions. The responsibilities of the Public Health Director include Vital Records, Environmental Health, Preparedness, Care Coordination, Community Health Assessment, Veteran’s Services, School Health, Animal Services and WIC. The responsibilities of the Medical Director include oversight of BCHHS Clinical Services programs to include: Family Planning, Breast and Cervical Cancer Control, Sexually Transmitted Disease, Immunizations, Nurse Family Partnership and Refugee, Tuberculosis and Communicable Disease Control. Both will share the responsibility for public health accreditation.

Both the Health Director and Medical Director are supervised by the HHS Director and serve as members of HHS Senior Leadership Team. The expectation is that these two positions work in collaboration to assure that all public health legal requirements, state requirements, and accreditation standards are met. The positions also serve as back-up for each other, working with appropriate staff to assure that the work continues at the expected level.

Specific Delegations

1. Health Director
2. To administer programs as directed by the HHS Director;
3. To enforce the appropriate rules of the local board of health and human services;
4. To exercise quarantine authority and isolation authority pursuant to N.C. Gen. Stat. §130A-145, in consultation with the Medical Director;
5. To disseminate public health information and to promote the benefits of good health;
6. Under the direction of the HHS Director, to advise local officials concerning public health matters;
7. To examine, investigate and control rabies pursuant to Part 6 of Article 6 of N.C. Gen. Stat. §130A-41, specifically addressing the management of animals who have been the source of exposure;
8. To abate public health nuisances and imminent hazards pursuant to N.C. Gen. Stat. §130A-19 and N.C. Gen. Stat. § 130A-20 in consultation with the Medical Director when needed; and
9. To serve as a liaison with the NC DPH and NCALHD.
10. Medical Director
11. To administer programs as directed by the HHS Director;
12. To enforce the appropriate rules of the local board of health and human services;
13. To investigate the causes of infectious, communicable and other diseases;
14. To consult with the Health Director on isolation and quarantine situations;
15. To enforce the immunization requirements of Part 2 of Article 6 of N.C. Gen. Stat. §130A-41;
16. To examine and investigate cases f venereal disease pursuant to Parts 3 and 4 of Article 6 of N.C. Gen. Stat. §130A-41;
17. To examine and investigate cases of tuberculosis pursuant to Part 5 of Article 6 of N.C. Gen. Stat. §130A-41;
18. To disseminate public health information and to promote the benefits of good health;
19. Under the direction of the HHS Director, to advise local officials concerning public health matters; and
20. To examine, investigate and control rabies pursuant to Part 6 of Article 6 of N.C. Gen. Stat. §130A-41, specifically addressing human exposures.
21. Signatures:
    1. Agreement Addenda: Health Director (as allowed by county contract policy)
    2. School Health MOU’s: Health Director (as allowed by county contract policy)
    3. Vital Records: Health Director
    4. Communicable Disease Morbidity Cards: Medical Director
    5. Isolation/ Quarantine Orders: Health Director

**Social Work**

The Social Work Division Director is responsible for all social work services as set forth in the job description and relevant statutes, policies and rules or as defined by the County Commission for the position. When called upon, the Social Work Director may act for the HHS Director in matters pertaining to social work services in local, regional and state conferences and meetings. The Social Work Program Administrator is also authorized to act in the absence of the HHS Director and Social Work Director for all necessary service delivery continuation.

Statutory obligations of a DSS director related to adult services and child welfare are delegated to the SW Director as follows:

1. Adult and Aging Services
   1. To act in matters of Guardianship for the agency. If applicable, this includes the authority to make decisions regarding wards for whom the agency is guardian including consent to surgery and out of state travel. These decisions include making treatment decisions for wards in accord with N.C. Gen. Stat. §35A, and Volume V, Chapter VII of the Family Services Manual. Consent shall be executed in the name of the representative who is signing the document. Highly controversial issues shall be staffed in advance with a member of the Leadership Team. If applicable, establish “DNR” orders after staffing with another member of the Adult Social Work Leadership Team and to sign under their own signature.
   2. Through assigned staff, accept reports and investigate allegations involving the abuse, neglect, or exploitation of disabled adults.
   3. Through assigned staff, do routine monitoring in adult care homes to ensure compliance with state and federal law, rules, and regulations in accordance with policy and procedures established by the NC Division of Health Service Regulation.
   4. Make decisions regarding the disposition of unclaimed bodies in accordance with N.C. Gen. Stat. §130A-415. In the absence of the Director, decisions regarding disposition and approval of disbursements from the ‘Unclaimed Bodies’ expenditure line item may be made by a Social Work Program Manager. Authorization for cremation requires the signature/initials of the Director but in his absence either the Social Work Director or the SW Administrator are authorized to sign the cremation authorization forms on behalf of the HHS Director.
2. Child Welfare Services
   1. Through assigned staff, accept reports and investigate allegation of child abuse, neglect and dependency; taking appropriate action to protect children.
   2. Make decisions involving the removal of children into agency custody, as well as signing documents pertaining to children in the custody of the Department such as:
      * 1. Consent to routine medical and dental care or treatment;
        2. Consent to emergency medical, surgical, psychiatric, psychological, or mental health care or treatment or testing and evaluation in exigent circumstances for children in custody;
        3. Execution of Voluntary Placement Agreements, including 18-21 Foster Care
   3. Make adoption decisions and sign adoption related documents on behalf of the Director and in his absence such as:
      * 1. Consent for adoption
        2. Acceptance of relinquishments and revocation of relinquishments for adoption
        3. Adoption assistance forms and agreements
   4. Other actions/ forms that are delegated include:
      1. Foster home licensing waivers

b. Foster home relicense, termination, and change requests

The SW Division Director is authorized to sign documents under their own name on behalf of the Director. If a legal document requires the signature of the HHS Director in his official capacity as a county DSS Director, the SW Division Director may sign Talmadge Stone Blevins by [name of] Social Work Division Director.

**Economic Services:**

The Economic Services Division Director is responsible for all public assistance programs as set forth in the job description and relevant statutes, policies and rules or as defined by the County Commission for the position. When called upon, the ES Director may act for the HHS Director in matters pertaining to economic services in national, regional and state conferences and meetings.

Economic Services staff are authorized to sign for the Directors, by placing his or her initials adjacent to the Director’s signature, on the following documents:

* DSS 5022 – County initiated check authorization or County issue Medicaid card Authorization;
* DSS 1473 – State Appeal;
* DSS 8129 – Affidavit for LIEAP;
* DSS 8123 – Reissue for LIEAP check;
* DMA 5016 – Patient monthly liability;
* DMA 5020 – Notice of Case Status;
* DSS 2216 – Request for Case Record;
* DMA 5010 – Inpatient hospital/ICF Referral.

The signature of the HHS Director is required to authorize SAB payments or payment revisions as required by the Adult Medicaid Manual MA-2530 – Blindness M-SB, revised 05/01/05, change number 16-05. The Economic Services Division Director or appropriate Program Administrator are authorized to sign the HHS Director’s name to the forms in the absence of the Director.

Responsibilities not delegated by this document:

* The signing of any contract obligating the county financially (1)
* Any state level MOU that has financial implications from the county
* Any adverse personnel action appealable to NC OSHR requiring a Pre-Disciplinary Conference
* Out of state travel authorization without HHS Director consent

1. Once contracts are in place, Division Directors can sign accompanying documents to administer the contract as allowed by county contract policy

**Administrative Actions:**

The HHS Director is assisted in his administrative duties by a Chief Business Officer and an Employee/ Public Relations Officer. With the director’s consent, each of these positions is authorized to act on behalf of the Director in his absence to promote and sustain the work of the agency or if an untimely action due to the absence would be a detriment to the agency’s business.

Signed this 30th day of April, 2019

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Talmadge Stone Blevins, Buncombe County HHS Director