

PUBLIC HEALTH UNITS - STATUTORY AUTHORITY TO SHARE SERVICES

North Dakota Century Code (NDCC) Section 23-25-03 provides that the governing body of a city or county may establish a public health unit by creating and appointing a board of health, which must have at least five members. Section 23-35-04 authorizes a governing body to form a multicounty or city-county health district by resolution. A county without a countywide public health unit may contract with a city that has a public health department to provide health services to the county and the cities throughout the county which do not have a public health unit. Section 23-35-05 authorizes two or more health districts to merge into a single health district upon a majority vote of the respective boards of health and of the governing body of each county.

The joint powers agreement statute, NDCC Chapter 54-40.3 (attached), authorizes any political subdivision of this state, which includes health districts, subject to approval by its governing body, to enter into an agreement with any other political subdivision of this state to administer or perform jointly any function the political subdivision is authorized. Therefore public health units may enter into joint powers agreements with other public health units through their governing bodies, which would be a board of health of a health district or a city commission or council or county board of commissioners for a city or county health department.

ATTACH:1