

Summary**Board bill Number 58****Primary Sponsor: Alderman Jeffrey Boyd****June 5, 2020**

The proposed Board Bill would amend 14-C of Article VIII of the City of St. Louis Charter which establishes the Department of Health and Hospitals, the position of Director of Health and Hospitals and the Director's qualifications to allow persons who have been a regularly licensed practitioner of medicine and surgery in any state, the District of Columbia, or Territory of the United States and meet the eligibility requirements to be licensed as a physician and surgeon in the State of Missouri to qualify for the Director's position. The bill would disqualify persons from the Director's position that have had their license to practice medicine and surgery revoked in any state, the District of Columbia, or Territory of the United States. Finally, the bill amends those provisions concerning the division of hospitals and the Board of Hospitals to reflect that the City no longer owns or administers hospital facilities.

BOARD BILL NUMBER 58 INTRODUCED BY: ALDERMAN JEFFREY BOYD

1 An ordinance submitting to the qualified voters of the City of St. Louis, a proposal to
2 revise Section 14-C of Article VIII of the City of St. Louis Charter concerning the
3 Department of Health and Hospitals, the position of Director of Health and Hospitals and the
4 qualifications therefor, the duties of the Director, the division of health, and the Board of
5 Health and the Board Hospitals by amending the qualifications for the position of Director of
6 Health, and removing or revising provisions concerning hospitals to reflect that the City no
7 longer owns or administers any hospital facilities; and providing for an election to be held for
8 voting on the proposed revision and the manner of voting thereat and; for the publication,
9 certification, deposit, and recording of this ordinance; and containing an emergency clause.

10 **BE IT ORDAINED BY THE CITY OF ST. LOUIS, AS FOLLOWS:**

11 **SECTION ONE.**

12 A. The following amendment to the Charter of the City of St. Louis is hereby proposed
13 and submitted to the voters of the City of St. Louis and shall be voted upon at an election to
14 be held as hereinafter provided.

15 B. The aforementioned amendment to the Charter of the City of St. Louis is in words and
16 figures as follows: Section 14-C of Article VIII of the Charter of the City of St. Louis is
17 hereby amended to be and read as follows:

18 **Section 14-C - Department of Health.**

19 The department of health shall be in the charge of a director of health appointed by the mayor.

1 12.51 Department of Health

2 (a) **Director—Qualifications.** The director of health shall:

- 3 1. Be a regularly licensed practitioner of medicine and surgery in any state, the
4 District of Columbia, or Territory of the United States, have at least three years'
5 experience as a licensed practitioner of medicine and surgery and three years'
6 experience working in the field of public health, with at least two years of such
7 experiences in a responsible administrative capacity; or
- 8 2. Have been a regularly licensed practitioner of medicine and surgery in any state,
9 the District of Columbia, or Territory of the United States, have at least three
10 years' experience as a licensed practitioner of medicine and surgery and three
11 years' experience working in the field of public health, with at least two years of
12 such experience in a responsible administrative capacity, and must meet the
13 eligibility requirements to be licensed as a physician and surgeon in the State of
14 Missouri either by examination or reciprocity; or
- 15 3. Have a master's degree in public health from a school of public health that is duly
16 accredited in any state, the District of Columbia, or Territory of the United States,
17 and have at least three years' experience working in the field of public health,
18 with at least two years of such experience in a responsible administrative
19 capacity; or

1 4. Have been certified by the American Board of Preventative Medicine and Public
2 Health, and have at least three years' experience as a licensed practitioner of
3 medicine and surgery and three years' experience working in the field of public
4 health, with at least two years of such experience in a responsible administrative
5 capacity; and

6 5. Not have had their license to practice medicine and surgery revoked in any state,
7 the District of Columbia, or Territory of the United States.

8 (b) **Director—Duties.** The director of health shall be responsible for the supervision
9 and coordination of all activities of the department of health.

10 (c) **Division of health.** The division of health shall be in the charge of a health
11 commissioner appointed by the director of health. The commissioner shall have
12 general supervision over the public health and shall be responsible for the
13 administration of the public health programs. The commissioner shall adopt, with the
14 approval of the director of health and after submission to the board of health for its
15 conclusions and recommendations, and consistent with the provisions of this charter
16 and any law or ordinance, such rules and regulations as will tend to preserve or
17 promote the public health. The health commissioner shall see that the laws and
18 ordinances relating to public health are observed and enforced, and for such purpose
19 the commissioner may enter or authorize and require any employee or police officer
20 to enter and inspect any building, lot, or place within the city for conditions affecting
21 the public health, and may declare and abate nuisances as provided by this charter or

1 by law or ordinance. If the commissioner finds that the existence of a nuisance is
2 plain and its continuance a danger to public health, he may declare such nuisance and
3 danger and enter such declaration in the records of the commissioner's office. The
4 commissioner shall then immediately abate such nuisance without notice. In all other
5 cases, before abating a nuisance on private property, the commissioner shall hold a
6 hearing upon notice given personally to the owner or their agent or by posting on or
7 near the premises, whereupon the commissioner may declare the nuisance and order
8 its abatement. If the nuisance is not abated as ordered, the commissioner shall abate
9 the same. In case of abatement of nuisance on private property, the cost thereof may
10 be assessed and collected as a special tax and be a lien on such property as provided
11 by ordinance. Any person causing or maintaining any nuisance shall be liable to the
12 city in a civil action for the expense incurred in abating such nuisance. Failure to
13 abate a nuisance after an order of abatement shall constitute a misdemeanor,
14 punishable as provided by ordinance.

15 (d) **Malignant, Infectious, or Contagious Disease.** Whenever any malignant,
16 infectious, or contagious disease is threatened or is prevalent in the city, on
17 proclamation thereof by the mayor and with the approval of the mayor and the
18 director of health, the health commissioner may take such steps, use such measures,
19 and incur such expense as the commissioner deems necessary to avoid, suppress, or
20 mitigate such disease until the mayor proclaims the need therefor ended,
21 notwithstanding anything to the contrary in this charter or in any ordinance.

1 (e) **Health Commissioner Duties.** The health commissioner shall have charge of the
2 quarantine, the dog pound, and the registration of all births and deaths within the
3 city.

4 The health commissioner shall keep a record of the commissioner acts and orders
5 and shall file in the commissioner's office all petitions, documents, and papers
6 belonging thereto. Copies of such records, petitions, documents, and papers when
7 certified by the commissioner or as provided by ordinance shall be prima facie
8 evidence in any court of the facts therein contained.

9 (f) **Board of health.** There shall be a board of health of five members appointed by
10 the mayor for terms of four years, except that of the members first appointed one
11 shall be appointed for a term of one year, one for a term of two years, and one for a
12 term of three years. The board of health shall meet together upon call of the director
13 of health, and the board shall advise the director of health on matters relating to
14 public health; examine all proposed public health rules and regulations and transmit
15 its conclusions and recommendations to the director; and hear and determine such
16 appeals from decisions, rulings, and orders of the health commissioner as may be
17 provided for by ordinance.

18 **SECTION TWO.**

19 A. The foregoing revision to the Charter of the City of St. Louis shall be submitted to the
20 qualified voters of the City of St. Louis at an election to be held on the 3rd day of November,
21 2020 if the proposed revision shall receive in its favor the votes of the required three-fifths

1 majority of qualified voters voting at said election for or against the proposed revision, the
2 revision shall be adopted and become a part of the Charter of the City of St. Louis from the
3 date of said election or such other date as may prescribed in said amendment.

4 B. Qualified voters of the City of St. Louis voting at said election shall vote a ballot
5 substantially in the following form:

6 PROPOSITION []

7 Instructions to voters: To vote in favor of the proposition submitted on this
8 ballot, place an [X] in the square opposite the word YES and to vote against the
9 proposition submitted on this ballot, place an [X] in the square opposite the word NO.

10 The proposed amendment shall appear on the ballot substantially, as follows:

11 Shall Section 14-C of Article VIII of the City of St. Louis Charter which establishes
12 the Department of Health and Hospitals, the position of Director of Health and
13 Hospitals and the Director's qualifications be amended to qualify persons for the
14 Director position who have been a regularly licensed practitioner of medicine and
15 surgery in any state, the District of Columbia, or Territory of the United States and
16 meet the eligibility requirements to be licensed as a physician and surgeon in the State
17 of Missouri; and to require that the Director not to have had their license to practice
18 medicine and surgery revoked in any state, the District of Columbia, or Territory of
19 the United States; and amend those provisions concerning the division of hospitals
20 and the Board of Hospitals to reflect that the City no longer owns or administers
21 hospital facilities

22 If you are in favor of the question, place an [X] in the box opposite YES.

23 If you are opposed to the question, place an [X] in the box opposite NO.

24 [] YES [] NO

25 **SECTION THREE.** The Board of Election Commissioners shall provide the ballots and or
26 voting machines, and conduct the election and shall ascertain and certify the result thereof
27 according to the law. If voting machines are used, the aforesaid "PROPOSITION" shall be

1 placed or posted on the said voting machines wherever said machines are used under the
2 direction of the Board of Election Commissioners for the City of St. Louis and according to
3 law.

4 **SECTION FOUR.** Upon the approval of this ordinance, it shall be published in the official
5 publication of the City of St. Louis, Missouri, The City Journal. Proof of said publication of
6 this ordinance shall be made by affidavit of the City Register, and such affidavit shall be filed
7 in the Office of the City Register and a copy of such publication shall be attached thereto.

8 **SECTION FIVE.** Upon the approval of this Charter revision, it shall be certified and
9 deposited as required by Article VI, Section 33 of the Constitution of Missouri and shall be
10 filed in the Office of the City Register.

11 **SECTION SIX.** This being an ordinance calling for an election for submission to the
12 people of a proposed amendment to the Charter of the City of St. Louis, it is hereby declared
13 to be an emergency measure and shall become effective immediately upon its passage and
14 approval by the Mayor pursuant to Article IV Sections 19 and 20 of the Charter or upon such
15 other date as may be prescribed in the amendment.