



WISCONSIN PUBLIC HEALTH AUTHORITIES Fact Sheet

Introduction

The state of Wisconsin has health laws to protect its residents from injury, disease, disability, and death. These laws are organized by subject into the Wisconsin Statutes and divided into chapters. Chapters 250 through 257 contain the majority of Wisconsin public health authorities. This Fact Sheet reviews these Chapters from the perspective of the following broad public health functions:

1. Management and Supervision
2. Adoption of Rules, Policies, and Guidelines
3. Investigations
4. Enforcement
5. Information Collection, Analysis, and Dissemination
6. Care and Treatment

The Fact Sheet links the responsible entities with the particular functions. For example, the Enforcement responsibilities are shared among various state, local, and tribal officials with overlapping responsibilities

It is important to note that the Fact Sheet is not exhaustive but provides a general overview of which entities have the delegated responsibility with respect to the above listed functions. In many cases, the legislature has authorized the state Department of Health Services to adopt more detailed regulations, which are found in the Wisconsin Administrative Code under Health Services. This Fact Sheet provides citations to some, but not all, of these public health regulations.

Organization Structure

Wisconsin public health laws are carried out at the state level by the State Department of Health Services and at the local level by boards of health and local and tribal health departments. The organizational structure for public health includes the following entities:

Department of Health Services: Under state law, the Department of Health Services has broad powers and authorities. It is the lead agency for public health and maintains a public health system (in cooperation with local health departments and medical clinics operated by federally recognized tribes). It establishes statewide health objectives and delegates power to local health departments to achieve them. It administers programs on environmental health, licenses emergency medical providers, performs vital recordkeeping analysis, and conducts formal reviews. Wis. Stat. §§ 250.03; 250.04. It also licenses tattooists; tattoo establishments; body piercers and body piercing establishments (Wis. Stat. §§ 252.23 and 252.24); and persons to possess, manufacture, use and handle radioactive materials. Wis. Stat. § 254.365.

State Health Officer: The Secretary of the Department of Health Services appoints a state health officer and assigns duties. Wis. Stat. § 250.02(1).

Local Board of Health and Health Officers: Local boards of health are the policymaking bodies for local health departments. Wis. Stat. § 250.01(3). Local boards of health and health officers enforce public health statutes and rules. Wis. Stat. § 251.04(1). Chapter 250 of the Wisconsin Statutes authorizes the Department of Health to issue and enforce orders governing the duties of all local health officers and local boards of health. Wis. Stat. § 250.04(7). Local authorities may pass health ordinances as long as the ordinances complement and do not conflict with state laws. Several statutes authorize local authorities to enact ordinances on particular subjects: lead poisoning (Wis. Stat. § 254.154), radiation (Wis. Stat. § 254.34), human health hazards (Wis. Stat. § 254.59), and food and lodging (Wis. Stat. § 254.69).

Health Officers: Local health officers lead the health departments and shall take “all measures necessary to prevent, suppress and control communicable diseases....” Wis. Stat. § 252.03(1).

Local Health Department: The local health department is responsible for the surveillance and control of communicable diseases and for human health hazard control. Local health departments may do what is “reasonable and necessary for the prevention and suppression of disease. Wis. Stat. § 252.03(2). The local health department may act as an agent of the Department of Health Services during an emergency. Wis. Stat. § 251.05(3)(e). Specific duties of the local health departments are set forth in regulations. Wis. Admin. Code DHS § 140 et seq.

Tribal Health Department: The 11 federally recognized tribes operate health programs through contracts with the Indian Health Services. Services provided vary from tribe-to-tribe and may include direct care as well as referrals to other providers. 42 C.F.R. § 136.

Chapter 250: Health Administration and Supervision

Management and Supervision

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall appoint and assign duties to a state health officer.	Wis. Stat. § 250.02
Department of Health Services	The Department is the lead agency for public health and shall maintain a public health system (in cooperation with local health departments and medical clinics operated by federally recognized tribes).	Wis. Stat. § 250.03 42 C.F.R. § 136
Department of Health Services	The Department shall establish statewide health objectives and delegate power to local health departments to achieve such objectives. The Department shall monitor and solve community health problems.	Wis. Stat. § 250.03 Wis. Admin. Code DHS § 192.01
Department of Health Services	The Department shall develop policies, plans, and programs that support individual and community health efforts. The Department shall promote cooperation and collaborative agreements among (1) the state, (2) local health departments, (3) tribes, and (4) the Indian Health Service	Wis. Stat. § 250.03

Department of Health Services	If so designated by the Governor, the Department may act as the public health authority during an emergency.	Wis. Stat. § 250.042
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Rules and Policies

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall develop policies that support individual and community health efforts.	Wis. Stat. § 250.03
Department of Health Services	The Department may promulgate rules (relating to any subject matter under the Department's supervision) that are necessary to provide efficient administration or to protect the public health.	Wis. Stat. § 250.04
Department of Health Services	The Department shall promulgate rules for public health nurse qualifications.	Wis. Stat. § 250.06 Wis. Admin. Code DHS § 139.01
Department of Health Services	Note: The Department shall promulgate rules that specify the required services for Level I, II, and III of local health departments and additional required services for Level II and III.	Wis. Stat. § 251.20 Wis. Admin. Code DHS § 140.01

Investigations

ENTITY	COMMENT	CITATION
Department of Health Services	The Department has broad powers of investigation, including the power to enter upon and inspect private property (after due notice). The Department shall maintain surveillance activities to detect communicable disease, environmental hazards, or changes in the health of mothers and children. It shall investigate the cause of any unusual disease or mortality and shall investigate any hospital which is found to have been responsible for negligent acts.	Wis. Stat. § 250.03 Wis. Stat. § 250.04

Enforcement

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall enforce statutes and rules that protect health and ensure safety.	Wis. Stat. § 250.03



Department of Health Services	<p>The Department has the power to execute what is reasonable and necessary to prevent or suppress disease. It may bring action in the courts to enforce public health laws, rules, and orders.</p> <p>It may administer oaths, issue subpoenas, compel the attendance of witnesses, and the production of documents or testimony. If the local health department fails to enforce public health statutes or rules, the Department may do so.</p>	Wis. Stat. § 250.04
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Information

ENTITY	COMMENT	CITATION
Department of Health Services	<p>The Department shall inform and educate people about health issues. It shall research and develop solutions to health issues. The Department shall evaluate effectiveness, accessibility, and quality of personal and population-based health services.</p> <p>The Department (after consulting with local health departments, health care providers, and law enforcement) shall report on the preparedness of the public health system to address public health emergencies.</p> <p>After an emergency, the Department shall issue a report on the emergency powers used and the expenses incurred.</p>	Wis. Stat. § 250.03
Department of Health Services	<p>The Department shall analyze trends of communicable or chronic diseases, maternal and child health, injuries and occupational and environmental hazards, and distribute information based on the analyses.</p> <p>The Department shall study vital statistics for use in health planning and shall publish an annual maternal and child health report.</p> <p>The Department shall provide training on public health to local health departments, community organizations and others.</p>	Wis. Stat. § 250.04
Department of Health Services	<p>During an emergency and if designated as a public health authority, the Department shall inform state residents on how to protect themselves and what action the State is taking to control the public health emergency.</p>	Wis. Stat. § 250.042
Department of Health Services	<p>The Department shall examine public health nurse practice and make recommendations on such practice.</p>	Wis. Stat. § 250.06
Department of Health Services	<p>To eliminate or decrease health disparities, the Department shall conduct hearings, disseminate information, and submit a report on the health status of economically disadvantaged minority group members.</p>	Wis. Stat. § 250.20

Programs/Grants

ENTITY	COMMENT	CITATION
Department of Health Services	<p>The Department shall support local public health service capacity building through grants.</p>	Wis. Stat. § 250.03



Department of Health Services	The Department shall develop programs that support individual and community health efforts.	Wis. Stat. § 250.03
Department of Health Services	The Department shall administer programs for the control and prevention of public health problems.	Wis. Stat. § 250.04
Department of Health Services	The Department shall award grants for dental programs.	Wis. Stat. § 250.10
	The Department shall award grants to community health centers.	Wis. Stat. § 250.15
	The Department shall award grants to improve the health status of economically disadvantaged minority group members.	Wis. Stat. § 250.20
Department of Health Services	The Department shall may payments to the Wisconsin Women’s Health Foundation to provide women’s health outreach, education, and research.	Wis. Stat. § 250.16
	The Department shall make payments to Donate Life Wisconsin to encourage organ and tissue donation.	Wis. Stat. § 250.17

Chapter 251: Local Health Officials

Management

ENTITY	COMMENT	CITATION
County Board of Health	The county board shall establish a single county health department. In some cases, a department may be established to serve more than one county, i.e., multiple county health department. In a county with a population of less than 500,000, the county board and the governing body of a city that has a city health department may jointly establish a city-county health department.	Wis. Stat. § 251.02
Governing Body	In a county with a population of 500,000 or more, the governing body of each city or village shall establish a local health department, contract with the local health department of another city or village for services, or establish jointly with the governing body of another city or village a multiple municipal local health department.	Wis. Stat. § 251.02(2)
Local Board of Health	Local board of health membership is set forth in statute. A local board of health shall govern the local health department and shall report to the Department of Health Services as required by rule.	Wis. Stat. § 251.02
	A local board of health shall develop policy and provide leadership on public health needs.	Wis. Stat. § 251.03
	The local board of health may prescribe the duties of the local health officer.	Wis. Stat. § 251.04
		Wis. Stat. § 251.06



County Executive	In counties with a single county health department, a county executive or a county administrator may assume the powers and duties of a local board of health.	Wis. Stat. § 251.04
Local Health Department	Local health departments are divided into 3 service levels (I, II, and III). Note: the Department shall promulgate rules on required services for each level. All local departments shall provide surveillance, investigation, control and prevention of communicable diseases and other disease prevention. Local health departments also shall provide health promotion and human health hazard control.	Wis. Stat. § 251.05 Wis. Stat. § 251.20 Wis. Admin. Code DHS § 140.01
Local Health Officer	A local health officer shall administer the local health department in accordance with state statutes and rules. In general, a local health officer shall be appointed in the same manner as are members of the local board of health. Qualifications and duties of a local health officer are set forth in statute.	Wis. Stat. § 251.06 Wis. Admin. Code DHS § 192.03 and 192.04 Wis. Admin. Code DHS § 139.01

Rules and Policies

ENTITY	COMMENT	CITATION
Local Board of Health	A local board of health may adopt regulations (for its own guidance and for the governance of the local health department) that are necessary to protect and improve public health. Such regulations may not conflict with state statutes and rules of the Department of Health Services. The regulations shall be published.	Wis. Stat. § 251.04 Wis. Stat. § 251.135 42 C.F.R. § 136
Local Health Department	A local health department shall develop public health policies and procedures for the community.	Wis. Stat. § 251.05

Investigations

ENTITY	COMMENT	CITATION
Local Health Department	All local health departments shall provide surveillance and investigation of communicable diseases.	Wis. Stat. § 251.05 Wis. Admin. Code DHS145.01

Local Health Officer	A local health officer shall investigate the sanitary conditions of all premises within the jurisdiction of the local health department.	Wis. Stat. § 251.06
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Enforcement

ENTITY	COMMENT	CITATION
Local Health Officer	A local health officer shall enforce state public health statutes and rules. The local health officer shall also enforce any regulation that the local board of health adopts and any ordinance that the relevant governing body enacts (if those regulations and ordinances are consistent with state public health statutes and rules).	Wis. Stat. § 251.06

Information

ENTITY	COMMENT	CITATION
Local Board of Health	A local board of health shall assess public health needs.	Wis. Stat. § 251.04
Local Health Department	A local health department shall collect, assemble, analyze, and make available information on the health of the community. A local health department shall submit data as requested to the Department.	Wis. Stat. § 251.05
Local Health Officer	A local health officer shall promote the spread of information on the causes, nature, and prevention of prevalent diseases and the preservation and improvement of health. The local health officer shall submit an annual report of the administration of the local health department to the local board of health.	Wis. Stat. § 251.06

Programs/Grants

ENTITY	COMMENT	CITATION
Local Board of Health	A local board of health may (in cooperation with the Department) employ sanitarians to conduct environmental programs and other public health programs not specifically designated as functions of the public health nurse.	Wis. Stat. § 251.04

Chapter 252: Communicable Diseases

Management

ENTITY	COMMENT	CITATION
Department of Health Services	The Department may authorize and implement all emergency measures to control communicable disease. The Department shall, by rule, prescribe the mechanisms for implementing and monitoring compliance with the immunization program	Wis. Stat. § 252.02 Wis. Stat. § 252.04



Local Health Officer	The local health officer shall take all measures necessary to prevent, suppress and control communicable diseases.	Wis. Stat. § 252.03 Wis. Admin. Code DHS § 138.01
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Local Health Tribe	A local health department or tribe shall be reimbursed by the State (unless reimbursed by Department or the federal government) for expenses related to quarantining a person during a governor-declared emergency.	Wis. Stat. § 252.06 42 C.F.R. § 136
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Rules and Policies

ENTITY	COMMENT	CITATION
Department of Health Services	The Department may promulgate rules on prevention of communicable disease and for the quarantine of persons. Such rules supersede conflicting or less stringent local regulations.	Wis. Stat. § 252.02 Wis. Admin. Code DHS § 145
Department of Health Services	The Department may promulgate rules on diseases that require immunization.	Wis. Stat. § 252.04 Wis. Admin. Code DHS § 144 and 146
Department of Health Services	The Department may promulgate any rules necessary to prevent or control the transmission of tuberculosis.	Wis. Stat. § 252.07
Department of Health Services	The Department may promulgate rules on public health dispensaries.	Wis. Stat. § 252.10 Wis. Admin. Code DHS § 145.12
Department of Health Services	The Department shall promulgate rules for health insurance premium subsidies provided to eligible persons infected with HIV.	Wis. Stat. § 252.16



Department of Health Services	The Department shall provide statewide licensing and regulation of tattooists and promulgate rules thereon.	Wis. Stat. § 252.23
	The Department shall provide statewide licensing and regulation of body piercing establishments and promulgate rules on standards.	Wis. Stat. § 252.24 Wis. Admin. Code DHS § 173.01

Investigations

ENTITY	COMMENT	CITATION
Department of Health Services	The Department may establish disease surveillance and inspection to ascertain the presence of communicable disease.	Wis. Stat. § 252.02
Local Health Officer	The local health officer may inspect schools and other public buildings as needed to determine whether the buildings are maintained in sanitary condition. The local health officer shall investigate as necessary to prevent communicable disease.	Wis. Stat. § 252.03 Wis. Stat. § 252.06

Enforcement

ENTITY	COMMENT	CITATION
Department of Health Services	The Department may close schools and forbid public gatherings to control disease outbreaks and epidemics. The Department may enforce rules or issue orders to prevent communicable disease.	Wis. Stat. § 252.02
Department of Health Services	If the local authorities fail to enforce communicable disease statutes and rules, the Department shall do so.	Wis. Stat. § 252.03
Schools and Child Care Centers	Schools and child care centers may exclude non-immunized students from school and child care centers if the Department makes certain determinations set forth in the statute.	Wis. Stat. § 252.04
Department of Health Services	The Department may order the school to exclude non-immunized students during a substantial outbreak of disease. The Department, upon designation as public health authority, may order any individual to receive a vaccination. Exceptions are noted in the statute. The Department also may isolate or quarantine any non-immunized individual.	Wis. Stat. § 252.04 Wis. Stat. § 252.041
Department of Health Services or Local Health Officer	The Department (or local health officer acting for the Department) may require isolation or quarantine of a patient.	Wis. Stat. § 252.06



Local Health Officer	The local health officer may require quarantine or other measures to protect the public health.	Wis. Stat. § 252.06
	The local health officer may order confinement to a facility of an individual who has a confirmed diagnosis of infectious tuberculosis.	Wis. Stat. § 252.07
Court	Anyone who violates quarantine restrictions during a governor-declared emergency is subject to a fine not to exceed \$10,000 or imprisonment not to exceed 9 months.	Wis. Stat. § 252.06
Department of Health Services	The Department shall take the necessary steps to have a person (infected with a sexually transmitted disease who refuses treatment) committed for treatment.	Wis. Stat. § 252.11
Court	The court may commit a person infected with a sexually transmitted disease if the person ceases or refuses examination or treatment.	Wis. Stat. § 252.11
Exposed Person	A person (as defined in statute) who has contact with body fluid that constitutes a significant exposure may require testing of the individual for HIV.	Wis. Stat. § 252.15
Food Handlers	Any person knowingly infected with a communicable disease (transmitted by food handling) may not handle food consumed by others. Violations of this section of the law shall be punished as set forth in the statute.	Wis. Stat. § 252.18
Person	Any person who willfully violates the state law on communicable disease (including any state statute or rule; county, city or village ordinance; or Departmental order) shall be imprisoned for not more than 30 days or fined not more than \$500 or both (if no other penalty is prescribed).	Wis. Stat. § 252.25

Information

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall report annually on the success of the statewide immunization program.	Wis. Stat. § 252.04
	The Department shall distribute to all local health departments a chart that provides information about communicable diseases.	Wis. Stat. § 252.05
Health Provider or Tribal Health Authority,	Any health provider who has reason to believe that a person has a communicable disease shall report to the local health officer. A tribal health agency may report this information to the local health officer.	Wis. Stat. § 252.05
Local Health Officer	The local health officer shall report this information to the Department.	42 C.F.R. § 136
Any person	Anyone who believes that a person has a communicable disease shall report the facts to the local health officer or to the Department.	Wis. Stat. § 252.05
Local Health Officer	When an outbreak or epidemic occurs, the local health officer shall immediately report such information to the Department.	Wis. Stat. § 252.05



Laboratories	Each lab shall report specimen results indicating communicable disease in the manner prescribed by the Department. Any lab which identifies tuberculosis shall report the results of the tests to the local health officer and the Department.	Wis. Stat. § 252.05 Wis. Stat. § 252.07
Private college or university	Each private college and university shall provide detailed information on the risks associated with meningococcal disease and hepatitis B to each enrolled student.	Wis. Stat. § 252.09
Health care professional	A health care professional who attends a person infected with any form of sexually transmitted disease shall report the disease to the local health official and to the Department.	Wis. Stat. § 252.11
Schools or Child Care Centers	An employee who suspects that a communicable disease is present shall notify the local health officer.	Wis. Stat. § 252.21

Programs/Grants

ENTITY	COMMENT	CITATION
Department of Health Services	The Department, in an emergency, may provide medical care and temporary hospital accommodation to a person sick with a communicable disease.	Wis. Stat. § 252.02
Department of Health Services	The Department shall carry out a statewide immunization program to eliminate mumps, measles, rubella, diphtheria, pertussis, polio and to protect against tetanus.	Wis. Stat. § 252.04
Local Health Department	The local health department may request from the Department certification to establish and maintain a public health dispensary for the diagnosis and treatment of persons suffering from or suspected of having tuberculosis.	Wis. Stat. § 252.10
Department of Health Services	The Department shall make grants to organizations for the provision of HIV services (as defined in statute). The Department shall subsidize health insurance premium costs for an individual who has HIV and who is unable to continue his or her employment. The Department shall establish and administer a program to subsidize insurance premiums for an HIV infected individual who is on unpaid medical leave. The Department may reimburse costs of HIV drugs for HIV infected individuals	Wis. Stat. § 252.12 Wis. Stat. § 252.16 Wis. Stat. § 252.17 Wis. Stat. § 49.686 Wis. Admin. Code DHS § 138.01

Chapter 253: Maternal and Child Health

Rules and Policies

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall promulgate rules on the state supplemental program for women, infants, and children (WIC).	Wis. Stat. § 253.06
		Wis. Stat. § 253.07
	The Department shall promulgate all rules necessary to implement the women's health block grant.	Wis. Admin. Code DHS § 149
	The Department shall promulgate rules on the testing of infants for congenital disorders.	Wis. Stat. § 253.13
		Wis. Admin. Code DHS § 115

Enforcement

ENTITY	COMMENT	CITATION
	Enforcement	
Anyone	Any person who violates the rules under the State supplemental program for women, infants, and children (WIC) may be subject to denial, suspension, disqualification, recoupment, and forfeiture of not more than \$1,000.	Wis. Stat. § 253.06
Hospital	No hospital shall be required to admit any patient for the purpose of performing a sterilization procedure or abortion.	Wis. Stat. § 253.09
Physician or hospital staff	A physician or a member of the hospital staff shall not be required to participate in certain medical procedures (sterilization or abortion) if the individual objects on moral or religious grounds.	Wis. Stat. § 253.09
Nursing Mothers	No person shall prohibit a mother from breast-feeding her child in a public or private location where the mother and child are otherwise authorized to be.	Wis. Stat. § 253.165

Information

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall publish materials on abortions and adoption agencies. The content of such materials are detailed in statute.	Wis. Stat. § 253.10



Physicians, Midwives	Physicians and midwives shall report results of newborn hearing screening.	Wis. Stat. § 253.115
Hospitals, Physicians, Clinics	Hospitals, physicians and clinics shall report birth defects in infants and children	Wis. Stat. § 253.12 Wis. Admin. Code DHS § 116
Physicians, Midwives	Physicians and midwives shall ensure blood testing for newborn congenital metabolic disorders	Wis. Stat. § 253.13
Department of Health Services	The Department shall collect data on newborn hearing screening from hospitals.	Wis. Stat. § 253.115 Wis. Admin. Code DHS § 43
Department of Health Services	The Department shall maintain an up-to-date registry of birth defects. The Department shall disseminate information to families whose children suffer from congenital disorders.	Wis. Stat. § 253.12 Wis. Stat. § 252.13
Department of Health Services	The Department shall distribute information on sudden infant death syndrome.	Wis. Stat. § 253.14
Board	The Child Abuse and Neglect Prevention Board shall prepare materials on shaken baby syndrome. Content and distribution are set forth in the statute.	Wis. Stat. § 253.15

Programs/Grants

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall maintain a maternal and child health program.	Wis. Stat. § 253.02
Department of Health Services	To the extent funds are available, the Department shall supplement the federal Women, Infants, and Children (WIC) program.	Wis. Stat. § 253.06
Department of Health Services	The Department shall provide for delivery of family planning services throughout the state.	Wis. Stat. § 253.07

Department of Health Services	In certain counties, the Department shall award a grant to reduce fetal and infant mortality.	Wis. Stat. § 253.16
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Chapter 254: Environmental Health

Management

ENTITY	COMMENT	CITATION
Department of Health Services	The Department may designate a local health department to carry out a departmental function on environmental health.	Wis. Stat. § 254.015
Department of Health Services or Local Health Department	DHS or local health department granted agent status shall regulate campgrounds, camping resorts, recreational and education camps and public swimming pools.	Wis. Stat. § 254.47 Wis. Admin. Code DHS § 172, 175 and 178
Department of Health Services	The Department is the state radiation control agency.	Wis. Stat. § 254.34(1)
Department of Health Services	The Department has broad oversight to protect the public with regard to lodging and food.	Wis. Stat. § 254.61 et seq.

Rules and Policies

ENTITY	COMMENT	CITATION
Department of Health Services	The Department has broad rulemaking authority to reduce and eliminate lead exposure and lead poisoning.	Wis. Stat. § 254.13
	The Department may promulgate rules establishing standards for the care and follow-up of children under 6 years of age with lead exposure,	Wis. Stat. § 254.158
	The Department may promulgate rules on procedures for lead investigations.	Wis. Stat. § 254.164
	The Department shall promulgate rules for accreditation of lead training courses.	Wis. Stat. § 254.167
	The Department may establish by rule certification requirements for persons who perform lead hazard reduction.	Wis. Stat. § 254.176
	The Department shall establish rules to issue a certificate of lead-free or lead-safe status for dwellings.	Wis. Stat. § 254.178 Wis. Admin. Code DHS §



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		Wis. Stat. § 254.179
Department of Health Services	The Department has broad rulemaking authority on asbestos abatement certification and asbestos management.	Wis. Stat. § 254.20 Wis. Stat. § 254.21 Wis. Admin. Code DHS § 159
Local Health Department	The local health department may adopt regulations that establish standards for indoor air quality in public buildings.	Wis. Stat. § 254.22
Department of Health Services	The Department shall promulgate rules as may be necessary to prohibit and prevent unnecessary radiation exposure.	Wis. Stat. § 254.34 Wis. Admin. Code DHS 157 and 161
Epidemiologist	The epidemiologist for communicable disease shall take appropriate measures for prevention, surveillance, and control of human disease outbreaks associated with animal-borne and vector-borne transmission.	Wis. Stat. § 254.51
Department of Health Services	The Department shall promulgate rules on prevention, surveillance, and control of human disease that is associated with animal-borne and vector-borne disease transmission.	Wis. Stat. § 254.51
Local Board of Health	The local board of health may adopt regulations and propose ordinances on animal-borne and vector-borne disease control.	Wis. Stat. § 254.51
Department of Health Services	The Department shall promulgate rules on food protection practices.	Wis. Stat. § 254.71 Wis. Admin. Code DHS § 196 and 198
Department of Health Services	The Department shall promulgate rules on public health and safety with respect to lodging establishments.	Wis. Stat. § 254.74 Wis. Admin. Code DHS 195 and 197

Investigations

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall investigate human health implications of an environmental incident.	Wis. Stat. § 254.02
Department of Health Services	The Department shall conduct investigations of lead exposure and may obtain a warrant, if necessary.	Wis. Stat. § 254.166
Department of Health Services	The Department shall investigate illness or disease outbreaks suspected of being caused by poor indoor air quality.	Wis. Stat. § 254.22
Department of Health Services	The Department may enter a premise which is undergoing a lead hazard reduction to determine if all persons engaged in the work have been appropriately certified.	Wis. Stat. § 254.30
Department of Health Services	The Department shall investigate suspected cases of Lyme disease.	Wis. Stat. § 254.52

Enforcement

ENTITY	COMMENT	CITATION
Local Health Department	The local health department shall (and the Department may) issue an order that requires reduction or elimination of an imminent lead hazard.	Wis. Stat. § 254.166
Person	A person violating a statute or rule (or an order issued by DHS) pertaining to asbestos certification is subject to a civil forfeiture of \$25 - \$100.	Wis. Stat. § 254.20(11)
District Attorney	The Department may report violations of the law regarding lead to the district attorney who shall enforce the statute and rules. Civil enforcement includes a penalty not in excess of \$1,000; Criminal enforcement includes imprisonment for not more than 2 years.	Wis. Stat. § 254.30
Department of Health Services	The Department shall enforce rules on radiation protection and exposure. The Department shall issue and enforce orders as may be required.	Wis. Stat. § 254.34
	In radiation emergencies, the Department may issue orders without notice or hearing and require such action as is necessary to mitigate the emergency.	Wis. Stat. § 254.37
		Wis. Stat. § 254.38
Department of Health Services and Attorney General	The Department may assess forfeiture for violation of the statute or rules on radiation. The attorney general may bring an action to collect any forfeiture.	Wis. Stat. § 254.45



Department of Health Services or Local Health Department	The Department or a local health department shall close or restrict swimming if a human health hazard exists.	Wis. Stat. § 254.46
Local Health Department	The local health department shall enforce rules on animal-borne and vector-borne disease control.	Wis. Stat. § 254.51
County, City, Town, Village	A county, city, town, or village may initiate court action to prevent, abate, or remove any human health hazards. A city, town, or village may enact an ordinance on human health hazards.	Wis. Stat. § 254.58, 254.59 and 254.595
Local Health Officer	If a local health officer finds a human health hazard (including those found on private property), he or she shall order abatement.	Wis. Stat. § 254.59

Information

ENTITY	COMMENT	CITATION
Chief Medical Officer	The chief medical officer for environmental health shall establish a system for assessment, collection, and surveillance of disease outcomes and for toxic exposure data.	Wis. Stat. § 254.02
Local Health Department	The local health department shall report incidents of environmental contamination to the Department.	Wis. Stat. § 254.02
Physicians	Every physician who diagnoses lead poisoning or lead exposure shall report the incident to the local health officer or the Department..	Wis. Stat. § 254.13
Local Health Officer and other health professionals	Specified health professionals and the local health officer must report lead exposure to the local health officer and/or the Department. Persons making reports of lead exposure are immune from civil or criminal liability associated with reporting the incident.	Wis. Stat. § 254.13 Wis. Admin. Code DHS § 181.01
Department of Health Services	The Department shall monitor the spread of Lyme disease. It shall develop and disseminate information on Lyme disease. Content and distribution of this information is set forth in the statute.	Wis. Stat. § 254.52

Programs/Grants

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall develop a statewide lead poisoning prevention and treatment program.	Wis. Stat. § 254.15 Wis. Admin. Code DHS § 182

Chapter 255: Chronic Disease and Injuries

Management

ENTITY	COMMENT	CITATION
State	The state epidemiologist for chronic disease shall develop and maintain a system for Epidemiologistdetecting and monitoring chronic diseases.	Wis. Stat. § 255.02
Department of Health Services	The Department shall assist local health departments with activities on chronic disease prevention, assessment, and control.	Wis. Stat. § 255.03
Department of Health Services	The Department issues permits to tanning facilities.	Wis. Stat. § 255.08

Rules and Policies

Department of Health Services	The Department shall promulgate rules on grants for cancer control and prevention.	Wis. Stat. § 255.05 Wis. Admin. Code DHS147
Department of Health Services	The Department may promulgate rules necessary to administer the statutory requirements for tanning facilities.	Wis. Stat. § 255.08 Wis. Admin. Code DHS § 161
Department of Health Services	The Department shall promulgate rules for grants issued under the tobacco prevention and control program.	Wis. Stat. § 255.15 Wis. Admin. Code DHS § 199

Department of Health Services	The Department shall promulgate rules that specify the information reporting requirements under the poison control program.	Wis. Stat. § 255.35 Wis. Admin. Code DHS § 167
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Investigations

ENTITY	COMMENT	CITATION
State Epidemiologist	The state epidemiologist shall investigate and determine the epidemiology of those conditions that contribute to preventable illness.	Wis. Stat. § 255.02

Enforcement

ENTITY	COMMENT	CITATION
Department of Health Services	The Department may deny, suspend, or revoke permits of tanning facilities that violate the statutory requirements (or rules) for such facilities. The Department may assess forfeiture (fine) for not more than \$250 to a tanning facility that violates the statute or rules for such facilities.	Wis. Stat. § 255.08

Information

ENTITY	COMMENT	CITATION
Hospitals, physicians, laboratories	Hospitals, physicians, and laboratories shall report information on cancer to the Department.	Wis. Stat. § 255.04
Well-Woman Program	The Well-Woman program shall provide materials on breast cancer screening services.	Wis. Stat. § 255.06
Department of Health Services	The Department shall provide a clearinghouse of information on matters relating to tobacco issues.	Wis. Stat. § 255.15
Department of Health Services	The Department shall implement a statewide poison control system to provide poison information and education.	Wis. Stat. § 255.35
Health provider	A health provider who treats a gunshot wound (or a wound received during the commission of a crime) shall report such information to the local law enforcement agency.	Wis. Stat. § 255.40



Programs/Grants

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall conduct programs on chronic disease prevention.	Wis. Stat. § 255.03
Department of Health Services	The Department shall administer a Well-Woman program which conducts the activities specified in the statute, e.g., mobile mammography.	Wis. Stat. § 255.06
Department of Health Services	The Department shall administer a youth tobacco prevention and education program.	Wis. Stat. § 255.10
Department of Health Services	The Department shall maintain an injury prevention program.	Wis. Stat. § 255.20

Chapter 256: Emergency Medical Services

Management

ENTITY	COMMENT	CITATION
Department of Health Services	The Department is the lead state agency for emergency medical services. The Department shall license qualified ambulance service providers and emergency medical technicians.	Wis. Stat. § 256.08 Wis. Stat. § 256.15
Department of Health Services, Town, County, Village, City	Any city, town, village, or county may operate an emergency medical services program, after submission and approval of a plan by the Department.	Wis. Stat. § 256.12
Department of Health Services	The Department shall implement a statewide trauma care system.	Wis. Stat. § 256.25



Rules and Polices

ENTITY	COMMENT	CITATION
Department of Health Services	The Department may promulgate rules necessary to implement recommendations by the emergency medical services board.	Wis. Stat. § 256.08
	The Department shall promulgate rules on the authority and duties of the medical directors and state medical director for emergency medical services.	Wis. Stat. § 256.08
Department of Health Services	The Department may promulgate rules to establish standards for staffing of ambulances. The Department may promulgate rules necessary for emergency medical services personnel, including licensure and certification training.	Wis. Stat. § 256.15
		Wis. Admin. Code DHS § 110
Department of Health Services	The Department shall promulgate rules for implementation of a statewide trauma care system.	Wis. Stat. § 256.25

Investigation

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall investigate complaints received regarding emergency providers.	Wis. Stat. § 256.08

Enforcement

ENTITY	COMMENT	CITATION
Department of Health Services	The Department may institute an action against an ambulance provider who is in violation of the statute and/or rules.	Wis. Stat. § 256.15

Information

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall identify the emergency services capabilities of hospitals and prepare a list of such services.	Wis. Stat. § 256.30

Chapter 257: Emergency Volunteer Health Care Practitioners

Management

ENTITY	COMMENT	CITATION
Department of Health Services	The Department shall establish and maintain an electronic system that may be used to verify credentials of and register volunteer practitioners before or during a state of emergency.	Wis. Stat. § 257.02
Health Practitioners	Health practitioners (as defined in the statute) who during a state of emergency provide services are considered an agent of the state for any claim arising from the provision of such services. Note: additional statutory criteria must be met, e.g., practitioner does not receive compensation. This statutory protection does not extend to reckless, wanton, or intentional misconduct.	Wis. Stat. § 257.03

This document was developed by Barbara Hudson, contract attorney, and reviewed by Jill Krueger, Senior Attorney, Network for Public Health Law, National Coordinating Center at the Public Health Law Center at William Mitchell College of Law. Additional peer review was provided by Shelley Malofsky and Eric Wendorff, attorneys in the Office of Legal Counsel at the Wisconsin Department of Health, and by Lieske Giese, Eau Claire City/County Health Department Director and Keith Zehms, Corporation Counsel for Eau Claire County, and Nancy Young, executive director of the Institute for Wisconsin's Health. The Network for Public Health Law provides information and technical assistance on issues related to public health. The legal information and assistance provided in this document does not constitute legal advice or legal representation. For legal advice, please consult specific legal counsel.

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