



PUBLIC HEALTH AUTHORITY
Fact Sheet

Key Public Health Service Requirements of State and Local Health Departments in Tennessee

Overview

State and local health departments are a primary lifeline for people across the United States. A state's public health powers are derived, largely, from those sovereign powers reserved through the Tenth Amendment of the United States Constitution. U.S. Const., Am. X. These powers then extend to local governments through a state's delegation of authority. Public health officials carry out duties prescribed through these powers.

Public health systems can provide key health services, guided by [the Essential Public Health Services framework](#), which emphasizes ten essential public health services "[t]o protect and promote the health of all people in all communities." Under this framework, the three core functions of public health agencies are assessment, policy development and assurance.

In a well-functioning public health system, public health departments assess population health status to anticipate, prevent, and mitigate public health threats. They develop and implement policies, plans and laws to inform and empower the public and to improve community health. And they provide assurance that laws and regulations are carried out effectively by a competent workforce with policies and programs that are routinely evaluated, improved, and infused with ongoing research to provide new insights. Public health officials are also trained to respond to and coordinate state-wide responses to public health emergencies.

State health departments generally oversee the health of the people in a state and carry out several crucial duties, for example, disease surveillance, epidemiology, data collection, preparedness and response to public health emergencies, and state-level prevention activities and regulation of licensed professions. They also play a role in promoting environmental health and addressing social drivers of health in the state. Local health departments provide necessary services such as immunizations, nutrition programs, food safety services, regulation and inspection of swimming pools and campgrounds, and disease surveillance within their communities. Many local public health functions overlap with those of the state, and state health departments

often delegate responsibilities and authority to local health departments through regulations, agreements, and other means. This structure of overlapping state and local authority and duties can effectively serve the public's health given the unique roles that local and state health departments fill. Local health departments are integrated into their communities and are often in the best position to respond to the needs of community members, while the state health department can provide needed technical assistance, training, funding, and other support and can exercise authority to step in where local health departments are unwilling or unable to carry out their duties.

Though state and local health departments are commonly given broad authority to serve their mandate to protect the health of the people in their jurisdictions, they are also tasked with many affirmative duties. This fact sheet lists some of these key public health service requirements of the Tennessee Department of Health and the state's local health departments.

Tennessee Department of Health

Pursuant to Tenn. Ann. Code § 68-1-104, the Tennessee Department of Health (TDH) is responsible for overseeing the health of the state. TDH's State Health Planning Division has a duty to develop a state health plan and to evaluate and update the plan annually. § 68-11-1622. TDH is under the charge and general supervision of the commissioner of health, who is appointed by the state governor. The commissioner is responsible for appointing the state's health officer, known as the chief medical examiner, as provided by § 68-1-102. Each of Tennessee's 95 counties has a local health department whose health director is appointed by the commissioner, in concurrence with the county mayor, as stated under § 68-2-603.

Throughout our history the several States have exercised their police powers to protect the health and safety of their citizens.

[*Medtronic, Inc. v. Lohr*, 518 U.S. 470, 475 \(1996\).](#)

Under § 68-1-102, "[t]he commissioner is also authorized to delegate any of the powers, duties, responsibilities or authority vested in the commissioner by the laws of the state of Tennessee." The commissioner is, among other duties, directed to study the vital statistics of the state and to make investigations regarding causes of disease, death, and the effects of several conditions upon the health of the people of the state. § 68-1-104.

TDH and the commissioner are charged with broad responsibility under Tennessee law to protect the health of the people of the state, and TDH is made up of [several divisions](#) that carry out these functions. § 68-1-101. The following table includes a list of some key TDH responsibilities, as provided for in state statutes and regulations, related to the provision of public health services. "Public health services" was interpreted broadly to include services, interventions, and other functions that, pursuant to law or regulation, fall within the duties of the state health department.

Key State Health Department Requirements

This list is not comprehensive and does not provide full information on the content of the following statutes and regulations.

CATEGORY	REQUIRED ACTION	LEGAL SOURCE	DESCRIPTION
General Public Health Services	Issue licenses, certifications, or permits for professional services	§68-1-101	Each health related board within the TDH Division of Health Related Boards and the emergency medical

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		§1200-10-01-.08	<p>services board must establish a procedure to expedite the issuance of licenses, certifications, or permits needed to provide professional services regulated by each board, notwithstanding any other law to the contrary.</p> <p>Among other items, the Division of Health Related Boards must employ staff needed to perform administrative and clerical functions for the Boards and investigators to investigate complaints and charges made against licensees of the Boards that are assigned to the Division. The Division is also responsible for assisting the Boards to carry out their responsibilities and programs.</p>
	Appoint state health officer	§68-1-102	The commissioner of health must appoint a state health officer, referred to as the chief medical officer, who, at the commissioner's direction, is responsible for TDH on all matters of health policies and must advise the commissioner on the same.
	Research and investigate vital statistics	§68-1-104	The commissioner of health must study the state's vital statistics and make sanitary investigations on the causes of disease, death, effects of employment, habits, localities and circumstances of the health of the people. The commissioner must also develop a grant program for the research and development of solid waste disposal technologies.
	Provide a written list of Medicaid and TANF options	§68-1-110	Together, TDH and the State Department of Human Services must provide a written list of options available to the state under Medicaid and the federal Temporary Assistance for Needy Families (TANF) program as well as the extent of federal financial participation for each option provided. The list is to be provided to the Health and Welfare Committee of the state senate and the Health Committee of the house of representatives.
	Monitor and investigate Title VI complaints	§68-1-113	TDH must house an office to monitor and investigate civil rights complaints in health care facilities to determine whether a facility has, on the basis of race, color, or national origin, denied an individual services, privileges, advantages, or accommodations.
	Promulgate regulations on state medical assistance program	§68-1-115	The commissioner of health is obliged to promulgate regulations on the issuance of information regarding availability of financial assistance through the state's medical assistance program for beneficiaries of group health plans.
	Appoint assistants and employees to the medical care division	§68-1-901	The commissioner must appoint assistants and employees needed to staff the Medical Care Division.

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	Administer and expend funds for medical care	§68-1-902	The medical care division, as supervised by TDH, must administer and expend funds either appropriated by the general assembly or those made available by the federal government to the state or from other sources for medical care.
	Support the state medical laboratory board	§68-29-105	The Tennessee Medical Laboratory Board is authorized and directed to publish rules and regulations to effectuate the purpose and provisions of the Tennessee Medical Laboratory Act, §68-29-101 et seq.
		§68-29-106	The Tennessee Medical Laboratory Board is authorized to require the inspection of certain medical laboratories to study and evaluate the operation, supervision, and procedure of the facilities as well as to determine the effect on the health and safety of the people of the state.
		§68-29-134	The Tennessee Medical Laboratory Board must receive support from the division of health related boards of TDH.
	Promulgate rules and regulations for designation of blood donors	§68-32-103	TDH must promulgate rules and regulations for those who are treated by a health professional or who are treated in a health facility to have the option to designate donors to provide blood or blood products that are necessary for the person's treatment. These regulations do not apply to certain emergency situations.
Child welfare	Assist in developing a plan related to children's mental health care	§68-1-126	TDH is directed to assist the council on children's mental health care in developing a plan to establish demonstration sites that, among other items, provides a coordinated system of care for the mental health needs for children in the state.
	Report on births that involve neonatal abstinence syndrome and opioid use	§68-1-805	The commissioner must report, in consultation with the perinatal advisory committee and with the assistance of relevant state agencies, on births that involve neonatal abstinence syndrome and opioid use to the health committee of the house of representatives and the health and welfare committee of the senate.
	Promulgate rules and regulations for unexplained child death reporting	§68-1-1103	The commissioner has a duty to promulgate rules and regulations under the Unexplained Child Death Act. The commissioner also has a duty to collect related information, make this information available to relevant entities, and provide counseling services to surviving families. The Commissioner must also conduct educational programs and develop related educational literature on sudden infant death syndrome (SIDS).

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	Establish advisory committee and establish and maintain birth defects registry	§68-5-506	The commissioner must establish an advisory committee to guide the establishment and maintenance of a birth defects registry in TDH, among other related duties.
	Refer children who do not pass hearing test for early intervention	§68-5-905 §1200-15-01.06	TDH must refer any child who is reported as not having passed a hearing screening test to the Tennessee Early Intervention System (TEIS).
	Promulgate rules and regulations on early detection of hearing loss	§68-5-906	TDH must promulgate rules and regulations to effectuate provisions under §68-5-901 to §68-5-906, focused on early detection of hearing loss, in consultation with the department of education.
	Selection and compensation for Nurse Home Visitor Program	§68-1-2405 §68-1-2406 §68-1-2407 §68-1-2408	The commissioner is directed to select the national service organization of the Nurse-Family Partnership Program to be the facility to assist TDH in selecting entities from applications for the Program as well as to monitor and evaluate the implementation of the Program. TDH must also compensate the facility for costs incurred in performing duties as part of the nurse home visitor program. TDH must review initial applications for potential entity participants prior to providing those chosen for review to the facility selected. TDH must also select entities that will administer the Nurse Home Visitor Program and provide grants to the entities selected. Entities receiving grants must provide a report to TDH who, in turn, will provide an annual report to the general assembly.
	Arrange for care and treatment of disabled children	§68-12-105 §68-12-106	TDH is charged with the duty of carrying out provisions for and must arrange for treatment and care of disabled children as provided for under §68-12-101 et seq.
Public Information	Publish annual suicide report	§68-1-120	TDH must publish an annual report with information on the total number of both attempted and completed suicides that occurred in the state.
	Report on data relating to access to care and safety net	§68-1-123	The commissioner of health must report to the general assembly on the topic of data relating to access to care in the state as well as safety net adequacy related issues.
	Report on firearm deaths and injuries	§68-1-149	TDH must submit an annual report on the number of injuries and deaths caused by firearms in the state.
	Provide information concerning Down syndrome	§68-1-1303	TDH must make available information online that is kept up-to-date and is evidence-based regarding Down syndrome.

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	Provide information regarding umbilical cord blood banking	§68-32-105	TDH must encourage those who provide health care services related to pregnancy to provide objective information about umbilical cord blood banking. The information must be made available by TDH and it must be sufficient to allow for an informed decision about whether to participate in the program.
	Study the prevalence and severity of asthma	§68-60-101	TDH must study the prevalence and the severity of asthma in the state of Tennessee. TDH must also determine, from its study, whether TDH should develop a pilot project in a municipality that shows a high incidence of asthma.
	Shaken baby syndrome materials	§68-143-102 §68-141-103	TDH must, with the department of human services, develop information and instructional materials for public awareness of shaken baby syndrome.
Programs and Offices	House state Public School Nurse Program	§68-1-1201 §68-1-1202	The Public School Nurse Program is a part of the TDH and is led by the state's Chief Medical Officer, who serves as executive director of the program. The Chief Medical Officer has several responsibilities related to the Program, including to assist local education agencies in developing, implementing and coordinated student health policies for first aid emergencies, medications, acute illnesses and infection control.
	Manage the Tennessee Resource Mothers Program	§68-1-1401 §68-1-1406	TDH manages the state's Resource Mothers Program which focuses on reducing infant mortality and low birth rates in the state. TDH must evaluate the program through site visits and prepare written quarterly reports regarding the program site objectives.
	House the Office of Women's Health	§68-1-1801 §68-1-1803	TDH houses the Office of Women's Health. The Office, among other duties, is directed to assist the commissioner in planning to provide for women's health issues and concerns across the state.
	Establish stroke collaboratives	§68-1-1901	The commissioner is directed to establish stroke care, education, and outreach collaboratives within each Grand Division of Tennessee. Each of these collaboratives must provide education and outreach with a focus on supporting community hospitals to acquire resources and skills needed to qualify as stroke centers.
	House the Office of Minority Health	§68-1-2201 §68-1-2202 §68-1-2203	TDH houses the Office of Minority Health. The Office, among other duties, is directed to assist the commissioner in assessing the health needs of state minority populations. The Office is also directed to make recommendations to the commissioner on

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			methods and programs sensitive and relevant to the unique characteristics of the state's minority populations. "Minorities" are defined as including "but are not limited to, African American, Hispanic, Asian American, American Indian, Alaskan Native, Middle Eastern American and the underserved regardless of age, race, economics, gender, language or geographic location."
	Establish Office of Vital Records	§68-3-103	TDH is directed to establish an Office of Vital Records, to make and amend regulations necessary to create a system of vital records, to provide a seal of office, divide the state into vital record registration districts, as well as to make and amend the rules and regulations needed to track and dispose of aborted fetus or fetal tissue that results from surgical abortions, among other duties in this chapter.
	Establish a program for care and treatment of renal disease	§68-35-101 §1200-11-01-.01 §1200-11-01-.04	TDH is directed to establish a program to assist those suffering from chronic renal disease but who are unable to pay for services related to care and treatment. TDH must assist in paying for services that were rendered to those eligible renal patients within the limit of the budget funds.
	Establish a program for care and treatment of hemophilia	§68-36-102 §1200-11-02-.01 §1200-11-02-.04	TDH is directed to establish a program to assist those suffering from hemophilia who are unable to pay for services related to care and treatment. Services are provided through the program according to funds available. In the event of budget constraints, TDH may place a cap on enrollment or expenditures per participant.
	Establish a program for care and treatment of epilepsy and other seizure disorders	§68-37-101	TDH is directed to establish a program to assist those suffering from epilepsy and other seizure disorders who are unable to pay for services related to care and treatment.
Emergency Services	Make recommendations in emergencies or disasters involving a disease that may evolve into an epidemic	§68-1-204 §1200-14-01-.15	In the event of an emergency or disaster, as defined under §58-2-101, that involves a disease that may evolve into an epidemic, the commissioner must make recommendations to the governor to allocate health care resources under title 68, chapter 1 and title 58, chapter 2. A local health officer or the commissioner of health or the commissioner's designated representative receive a report of a suspected epidemic of disease or of a suspected case of disease or event that is of significance to public health have affirmative duties that include collecting specimens to identify those exposed to the source of a disease, obtaining

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			information to notify those potentially exposed, and conducting an epidemiological investigation as well as establishing control measures.
	Create system of emergency medical service area telecommunications	§68-140-103 §68-140-104	TDH must develop a system of emergency medical service area telecommunications for the state and must also introduce and coordinate the system into the state's emergency preparedness plan. The commissioner must adopt the rules and regulations necessary to implement and to coordinate the system.
	Services owed to the Emergency Medical Services Board	§68-140-303	TDH must provide administrative services to the Emergency Medical Services Board and the commissioner has a duty to appoint the Director of the Division of Emergency Medical Services within TDH.
	General emergency services duties and powers of commissioner	§68-140-305	Among other powers and duties, the commissioner is directed to exercise general supervision, coordination, and control over the state emergency medical services program quality. The commissioner must also issue necessary licenses, permits and certificates for services, vehicles, and personnel and conduct examinations for emergency medical services personnel, as well as make inspections or investigations of those providing emergency medical services.
	Issue and renew emergency medical services personnel licenses	§68-140-308	TDH is responsible for issuing and renewing licenses for emergency medical services personnel and must also establish a system for the renewal of such licenses.
	Train on epinephrine injections	§68-140-310	TDH must approve and coordinate a training course for the administration of epinephrine injections.
	Training for domestic violence response	§68-140-323	TDH must approve and coordinate the use of materials concerning domestic violence incorporated as part of training curriculum for personnel providing emergency medical services.
	Adopt rules for automated external defibrillators	§68-140-405	TDH must adopt rules regarding the reporting requirements for use of automated external defibrillators (AEDs) and training requirements for cardiopulmonary resuscitation and AED use, among other rules.
	Vaccination during declared disasters and emergencies	§1200-12-02-.06	During declared disasters and emergencies, public health departments are required to provide medical direction, control, and training for emergency medical technician-IVs, advanced emergency medical technicians, and paramedics and critical care paramedics that administer vaccines in vaccination clinics operated by TDH.

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Poison Control Centers	Establish and maintain state poison control center system	§68-141-101 §1200-11-06-.01	TDH has the authority to establish and maintain a state poison control center system.
	Provide poison control information	§1200-11-06-.04	A regional poison control center must provide information 24 hours a day for 365 days a year for health professionals and the public and be readily accessible by telephone from all areas in
	Keep records of poison exposure cases	§1200-11-06-.05	A regional position control center must also keep records of exposure cases handled and must do so in a form that would be acceptable as a medical record.
	Provide information on management of poisoning for patients and public education	§1200-11-06-.06	A regional poison control center must also provide information to the region's health professionals on the management of poisoning for patients and must provide a public education program.
Rural Hospital Access	Take steps to facilitate the designation of certain hospitals as critical access hospitals	§68-61-105	TDH and the health facilities commission are directed to take steps necessary to facilitate the designation of both the Perry County Community Hospital and the Decatur County General Hospital as critical access hospitals .
Cancer Prevention and Reporting	Provide format and data for information necessary for cancer reporting	§68-1-1003	To ensure accurate and continuing data regarding patient cancer diagnoses in the state, reports of diagnoses must be made to TDH, who must make available the format and data for any information necessary to allow entities to make accurate cancer diagnoses reports to TDH.
	Promulgate rules and regulations to carry out duties for cancer reporting	§68-1-1004 §1200-07-02-.05	TDH must promulgate rules and regulations needed to carry out the duties and responsibilities under the Tennessee Cancer Reporting System Act.
	Compile and publish cancer reports annually	§68-1-1011	TDH must compile and publish an annual report of collected cancer diagnoses in the state.
	Increase awareness of gynecological cancers	§68-1-1805	TDH is directed to develop and implement an initiative to increase awareness of gynecological cancers across the state. TDH must also increase public knowledge and understanding of the signs of such cancers during cervical health awareness month and encourage appropriate health care providers to educate patients as well.
Chronic Disease	Provide outreach and education on Alzheimer's, cognitive impairment, and dementia	§68-1-141	TDH is obligated to include, as a part of its public health programs and services, education to healthcare professionals and public health practitioners relating

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			to early detection and risk reduction, as well as timely diagnosis of cognitive impairment and dementia. The program must also include education on the use of cognitive assessment tools and effective care planning. In addition, TDH must incorporate information within existing and relevant programs on Alzheimer's disease and other forms of dementia.
	Investigate reports on rates of cancer and Parkinson's disease diagnoses	§68-1-145	TDH must investigate the rates of cancer and Parkinson's disease and provide a report to the health and welfare committee of the senate and the health committee of the house of representatives.
	Plan to reduce the incidence of diabetes	§68-1-501	In collaboration with the bureau of TennCare and the department of finance and administration, TDH must identify both goals and benchmarks as well as individual agency plans with the goal of reducing the incidence of diabetes in Tennessee, improve care of diabetes, and control those complications associated with diabetes.
	Report on diabetes	§68-1-502	The bureau of TennCare and TDH must submit a joint biennial report to the health committee of the house of representatives and the health and welfare committee of the senate regarding the financial impact and reach diabetes is having on the agency, state, and localities as well as an assessment of programs and activities implemented to control and prevent diabetes, among other items.
Harm Reduction	Identify and contact frequent or high-risk prescribers of controlled substances	§68-1-128	TDH must annually identify the top fifty prescribers (with unique DEA numbers) of controlled substances and the top twenty prescribers (with specifically unique DEA numbers) of buprenorphine products and contact each to notify the prescribers with information including the number of their patients who were prescribed controlled substances.
	Develop and implement tobacco prevention programs	§68-1-132	TDH is required to develop and implement comprehensive tobacco prevention programs.
	Disseminate information on vapor products	§68-1-142	TDH is directed to provide information from the CDC on the health effects and dangers of using vapor products to students in public middle schools, junior highs, and high schools, in coordination with the department of education.
Communicable Disease	Issue advisory on MRSA infections to department of education	§68-1-127	TDH must issue an annual advisory to the department of education to be distributed to K-12 schools and early childhood programs to explain the risk of MRSA infections and provide guidance on recognizing and preventing the infection.

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	Prevent the spread of disease	§68-1-201	<p>The commissioner of health must prepare and carry into effect, with the least inconvenience to commerce and travel, rules and regulations that will prevent the spread of yellow fever, cholera, smallpox, or other epidemic diseases that appear in any Tennessee locality where information thereof is brought to TDH's knowledge. If the commissioner determines that an influenza outbreak could pose a threat of an epidemic, the commissioner must prepare and carry into effect the rules and regulations that will prevent its spread and do so with the least inconvenience to commerce and travel.</p> <p>Related, though not an affirmative duty, the commissioner also has the power under §68-1-403 to declare an epidemic in the state.</p>
	Establish quarantine stations	§68-1-202	The commissioner of health must select localities suitable for establishing quarantine stations and must assign a physician and necessary assistants to the charge of each station.
	Investigate reports of disease or epidemic	§1200-14-01-.15	TDH is required to investigate upon receiving a report of a reportable disease or a suspected case of disease of public health significance or a report of a suspected epidemic of disease.
	Prevent diseases where local body does not act	§68-5-109 §1200-14-01-.27	Where a local board or department of health neglects or refuses to comply with provisions in this part and where it is apparent that the threat of an epidemic of a communicable disease is present to invade other municipalities or counties it is then TDH's duty to carry out provisions of this part and to be reimbursed for necessary expenses incurred by the respective county or municipality.
	Investigate possible rabies exposure and confine or quarantine animal	§68-8-109	Either TDH or an animal control program is responsible for investigating a bite or rabies exposure and for placing the animal in question under observation by either confinement or quarantine.
	Make rules and bylaws for the control of sexually transmitted diseases	§68-10-109	TDH is authorized, and directed, to make rules and bylaws to control sexually transmitted diseases, including related reporting and isolation and quarantine of those infected.
Food Safety	Enforce food service code	§1200-23-01-.08	<p>TDH must apply and enforce the code provided under Chapter 1200-23-01 et seq. to safeguard public health and ensure food safety for consumers.</p> <p>See also §68-14-704, authorizing the commissioner to prescribe rules and regulations, including emergency rules, to govern alteration, construction, sanitation, safety of food, and the operation of food service establishments as needed to protect the public's</p>

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			health. The commissioner is further authorized to enforce compliance with these rules and to inspect every food establishment in the state as often as the commissioner deems is necessary. The commissioner may also enter into agreements or contracts with county health departments to carry out these acts.
	Issue farmers market food unit permits	§68-14-728	TDH is directed to issue, or to cause to be issued, farmers market food unit permits to those qualified and fee-paying applicants who complete the required pre-operational inspection to determine compliance with TDH rules for food service establishments.
Vaccination	Vaccine distribution	§68-1-401	The TDH has a duty to manufacture and distribute vaccines and other biological products throughout the state as the division of laboratories is able to produce. The commissioner must adopt rules and regulations to govern the manufacture and distribution of vaccines and other biological products.
Reproductive Health	Administer a program to improve access to birth control	§68-1-137	TDH is required to administer a program to improve access to voluntary reversible long-action contraception (VRLACs) that must include, among other items, training for family planning centers and public health facilities as well as assistance to family planning centers.
	Establish program for life-threatening perinatal period conditions	§68-1-802	TDH must develop a plan to establish a program that allows for the diagnosis and the treatment of certain life-threatening conditions that are present during the perinatal period.
	Appoint perinatal advisory committee	§68-1-803	The commissioner must appoint a perinatal advisory committee.
	Implement state's Family Planning Act	§1200-16-01-.02	In implementing the Family Planning Act, TDH policy must include, among other items, that all contraceptive services and information will be provided by county health departments to those eligible under TDH's supervision and that family planning providers employed by TDH and acting under TDH authority provide services as requested and consented to voluntarily by a patient. See also §68-34-104, authorizing the commissioner of health to adopt and to promulgate the rules and regulations needed for TDH to implement the state's Family Planning Act.
Environmental Health	Encourage stakeholders to examine asthma prevention protocols	§68-1-133	The commissioner of health is required to encourage stakeholders, including public health organizations, the medical community, the department of education and others, to examine asthma prevention protocols to assist with, among other items, diagnosing

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			environmentally associated exacerbation of asthma and avoiding new asthma cases.
	Permitting and inspection of bed and breakfasts	§68-14-505	<p>The commissioner of health must inspect a proposed bed and breakfast and issue a permit if the facility is found to be in compliance with applicable rules and regulations.</p> <p>Pursuant to §68-14-503, the commissioner is authorized to prescribe rules and regulations for bed and breakfast establishments and require that these establishments comply with said rules, which may not conflict with minimum state construction standards.</p>
	Permitting and inspection of organized camps	§1200-01-05-.03 §68-110-104 §68-110-105	<p>The commissioner of health must issue an organized camp permit where a completed application and fees are received and after inspection of a facility reveals it is in compliance with applicable rules. The commissioner must inspect organized camps at least every six months or as often as the commissioner deems necessary. The commissioner must also suspend organized camp permits if the commissioner has reasonable cause to believe that the permittee is not in compliance with applicable provisions.</p> <p>Pursuant to §68-110-103, the commissioner or a public health officer issue permits for organized camps and are authorized to suspend or revoke permits in accordance with rules or regulations adopted by TDH.</p> <p>The commissioner or public health officer is directed to make inspections of organized camps and have the power to enter at reasonable times for these purposes.</p> <p>It is the duty of either local public health officers or the commissioner, if requirements are not being adequately enforced, to enforce applicable ordinances, rules, regulations or other requirements for organized camps.</p>
	Permitting and inspection of hotels	§1200-23-05-.03	<p>The commissioner of health must issue hotel permits after inspecting the proposed facility in compliance with the requirements of applicable rules and upon receiving the completed application with the necessary fee. The commissioner is also charged with hotel inspection duties.</p> <p>See also §68-14-303, authorizing the commissioner to prescribe rules and regulations to govern alteration, construction, sanitation, safety, and the operation of both hotels and swimming pools as needed to protect the public's health in addition to inspection authority. The commissioner is further authorized to enter into agreements or contracts with county health departments to carry out these duties.</p>

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	Permitting and inspection of swimming pools	§1200-23-05-.04	<p>The commissioner of health must issue public swimming pool permits after inspecting a proposed facility in compliance with the requirements of applicable rules and upon receiving a completed application with the necessary fees. The commissioner is also charged with swimming pool inspection duties.</p> <p>See also §68-14-303, authorizing the commissioner to prescribe rules and regulations to govern alteration, construction, sanitation, safety, and the operation of both hotels and swimming pools as needed to protect the public's health in addition to inspection authority. The commissioner is further authorized to enter into agreements or contracts with county health departments to carry out these duties.</p>
Oral Health	Develop statewide strategy for emergency adult oral health care	§68-1-301	The commissioner of health must, along with professional organizations made up of dental and other related health care providers, organizations representing dental health recipients, and others, develop a statewide strategy to address the provision of adult emergency oral health care.
	Annual report and distribution of informational literature	§68-1-303	The commissioner of health has general supervision of dentists and dental equipment in state institutions and must distribute literature throughout the state to inform those in the state on dental care and must provide an annual report to both the state governor and the Tennessee State Dental Association on work done by and under the commissioner.

Tennessee Local Health Departments

Under Tenn. Ann. Code § 68-2-603(a)(1), “[e]ach county shall establish a county health department which shall be headed by, and under the immediate direction of, a county health director.” The county health director is responsible for “tak[ing] actions and mak[ing] determinations necessary to properly execute the state department of health’s programs, and adequately enforce the rules and regulations established by the [TDH] commissioner.” § 68-2-603(a)(2). See *also* § 68-2-603(b) (“It is the county health director’s duty to enforce the regulations of the state department of health.”).

State statute establishes requirements related to the minimum facilities, funding, and staff that must be ensured for each county health department. Specifically, “[t]he county legislative body is required to provide necessary office facilities, and to appropriate money necessary for the maintenance of the county health department.” § 68-2-604(a). Additionally, TDH must develop a plan to distribute state grant-in-aid

Health departments from the 50 states and thousands of local health departments are critical components of the US public health infrastructure, serving as the “backbone” of the public health system.

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funds to counties, including a base allocation “to ensure that a basic level of services can be provided” and to “provide for a minimum core staff,” in addition to other funds. § 68-2-901.

Tennessee county health departments are vested with many responsibilities to provide public health services and to carry out and enforce programs and requirements established by TDH as well as by statute. The following table identifies some of the key duties of county health departments¹ set forth in state statutes and regulations related to the provision of public health services. “Public health services” was interpreted broadly to include services, interventions, and other functions that, pursuant to law or regulation, fall within the duties of county health departments.

Key Local Health Department Requirements

This list is not comprehensive and does not provide full information on the content of the following statutes and regulations.

CATEGORY	REQUIRED ACTION	LEGAL SOURCE	DESCRIPTION
General Public Health Services	Provision of information on TennCare	§1200-13-13-.04	The Bureau of TennCare, through local health departments, must provide certain information on TennCare to families and adolescent prenatal patients.
		§1200-13-14-.04	
Communicable Disease	Receiving and responding to reports of communicable diseases	§68-5-103	Upon receiving notices of certain diseases, municipal and county health authorities must carry out TDH rules and regulations for disease prevention and restriction.
		§1200-14-01-.15	Local health officers have duties to conduct investigations upon receiving reports, including through consulting with health care providers or laboratories, collecting specimens, obtaining information for contact tracing, and completing an epidemiological investigation.
	Implementing disease control measures	§68-5-104	Local health authorities have duties related to controlling reported cases through isolation and quarantine and other control measures to protect the public’s health (e.g., examination, treatment, immunization, surveillance, etc.).
		§1200-14-01-.15	
	Disinfection measures for isolation and quarantine	§1200-14-01-.20	Local health officers have obligations related to disinfection measures during and after isolation and quarantine.
		§1200-14-01-.21	
	Reporting cases of potentially contaminated milk and milk products	§1200-14-01-.22	When cases of certain diseases exist on a farm or dairy producing milk or milk products, local health authorities have obligations to report the situation to other health jurisdictions where contaminated milk products are sold or consumed.
	Failure of local board or department of health to carry out provisions related to prevention of diseases	§68-5-109 §1200-14-01-.27	Whenever a county or municipal board or department of health willfully neglects or refuses to comply with § 68-5-101 <i>et seq.</i> (General Provisions related to Prevention of Diseases) and its implementing regulations and an epidemic threatens to invade other municipalities or counties, the state health department is authorized to step in and carry out these obligations, paid for by the county or municipality.

CATEGORY	REQUIRED ACTION	LEGAL SOURCE	DESCRIPTION
	Receiving, investigating, and responding to reports of sexually transmitted diseases	§68-10-102	Municipal and county health officers receive reports of certain cases of sexually transmitted diseases (STDs).
		§68-10-104	District, county, and municipal health officers have a duty to investigate sources of infections of STDs and under certain circumstances are directed to take measures to protect the public's health, including through isolation and quarantine.
		§68-10-105	In establishing isolation or quarantine, the municipal or county health officer must designate and define the limits of the area of isolation or quarantine.
	Receiving, investigating, and responding to reports of tuberculosis	§68-9-201	District, municipal, and county health officers receive reports of certain cases of tuberculosis and must report cases to appropriate authorities when an individual with or under treatment for tuberculosis relocates to another jurisdiction.
		§68-9-202	District, municipal, and county health officers under certain circumstances are directed to take specific measures to protect the public's health and prevent tuberculosis infection, including through isolation and quarantine.
		§68-9-203	In establishing isolation or quarantine, the district, municipal, or county health officer must designate and define the conditions of isolation and quarantine (e.g., length of time, site).
Vaccination	Establishing vaccine clinics	§68-5-105	Each county board of health must establish at least one vaccination/inoculation clinic in its county. If a county board of health fails or refuses to provide such a clinic, TDH is authorized to provide the required services, paid for by the local public health budget or grant-in-aid funds.
	Vaccination against rabies	§68-8-101 <i>et seq.</i> §1200-14-01-.31 §1200-14-01-.34	Each local health department has a duty to provide vaccinations against rabies for dogs and cats and to maintain copies of rabies vaccination certificates.
	Vaccination during declared disasters and emergencies	§1200-12-02-.06	During declared disasters and emergencies, public health departments are required to provide medical direction, control, and training for emergency medical technician-IVs, advanced emergency medical technicians, and paramedics and critical care paramedics that administer vaccines in vaccination clinics operated by local health departments.
Vital Records	Responsibilities of local registrars	§68-3-106 §1200-07-01	Full-time local health department personnel may be appointed as local registrars, who are responsible for complying with all instructions of the state registrar and ensuring compliance with state statutes and regulations pertaining to vital records.
Newborn Screening	Newborn testing for metabolic defects	§68-5-402	County and municipal health departments must cooperate with TDH in carrying out statutory requirements pertaining to testing newborns for metabolic defects.

CATEGORY	REQUIRED ACTION	LEGAL SOURCE	DESCRIPTION
	Contacting parents and guardians for follow up on presumptive screening results	§1200-15-01-.04	Local health departments must assist TDH in contacting parents and guardians of infants in need of further testing to confirm or disprove presumptive screening results.
Environmental Health	Permitting and inspection of hotels	§68-14-303	County health departments may be required to fulfill responsibilities related to inspection, licensing, permitting, and ensuring compliance of hotels, pursuant to an agreement with TDH.
		§1200-23-04-.03	Local county health departments must provide permit application forms for any person planning to operate a hotel.
	Permitting and inspection of bed and breakfasts	§68-14-503	County health departments may be required to fulfill responsibilities related to inspecting, permitting, and ensuring compliance of bed and breakfast establishments, pursuant to an agreement with TDH.
	Permitting and inspection of public swimming pools	§68-14-303	County health departments may be required to fulfill responsibilities related to inspection, licensing, permitting, and ensuring compliance of public swimming pools, pursuant to an agreement with TDH.
		§1200-23-05.04	Local health departments must provide permit application forms for the operation of a public swimming pool.
	Permitting and inspection of tattoo establishments	§62-38-202 §1200-23-03-.05	Local county health departments have a duty to permit, inspect, and ensure compliance of tattoo establishments. Upon declaration of an imminent health hazard, the local health officer must issue an order requiring the facility to cease operations.
	Inspection of body piercing establishments	§1200-23-06-.06	Under certain circumstances, local health officers have a duty to issue orders requiring facilities to cease operations upon declaration of an imminent health hazard.
	Permitting and inspection of organized camps	§68-110-101 <i>et seq.</i> §1200-01-05	County health departments and the state commissioner have the responsibility of licensing, inspecting, and investigating organized camps within their jurisdictions to ensure health and safety of occupants and the general public.
Food Safety	Permitting and inspection of retail food stores and food service establishments located in retail food stores	§53-8-204(7)	Shelby, Davidson, and Knox county health departments may be required to fulfill responsibilities related to inspecting, permitting, and ensuring compliance of retail food stores and food service establishments located in retail food stores, pursuant to an agreement with the department of agriculture.
	Permitting and inspection of food service establishments not located in retail food stores	§68-14-704(7)	County health departments may be required to fulfill responsibilities related to inspecting, permitting, and ensuring compliance of food service establishments not located in retail food stores, pursuant to an agreement with TDH.

CATEGORY	REQUIRED ACTION	LEGAL SOURCE	DESCRIPTION
Waste and Sewage Disposal	Regulation of solid waste removal	§68-211-108	Local health officers may have duties and responsibilities related to supervision, inspection, and regulation of solid waste removal if so delegated by the commissioner of the department of environment and conservation or the underground storage tanks and solid waste disposal control board.
	Permitting and inspection of subsurface sewage disposal systems	§68-221-403	County health departments may be required to fulfill responsibilities related to inspecting, permitting, and ensuring compliance of subsurface sewage disposal systems, pursuant to an agreement with the commissioner of environment and conservation.
Family Planning	Provision of family planning services	§68-34-104	To the extent that family planning funds are available, each public health agency in the state's political subdivisions must provide contraceptive procedures, supplies, and information, as determined by the rules and regulations promulgated by the commissioner.
		§1200-16-01-.02	
		§1200-16-01-.04	County health departments providing family planning services have a duty to provide contraceptive services and related information and must notify the general public of the date, time, and place contraceptives are made available.
Oral Health	Provision of dental services	§68-1-304	County health departments with existing dental staff and facilities and receiving state or federal funds have obligations to provide certain dental services to indigent children and adults.

Additional Considerations

Statutes and regulations are not the only sources of public health duties. The responsibilities of TDH and local health departments in Tennessee may also stem from other sources such as private acts (state laws that only apply to certain local areas); local measures, such as board of health resolutions and regulations; and grants, contracts, and other agreements. Together these responsibilities upheld by state and local health departments advance the protection and promotion of the public's health throughout Tennessee.

JUNE 2025

This document was developed by Phyllis Jeden, J.D., Deputy Director, and Emma Kaeser, J.D., Staff Attorney, Network for Public Health—Mid-States Region. The Network promotes public health and health equity through non-partisan educational resources and technical assistance. These materials provided are provided solely for educational purposes and do not constitute legal advice. The Network's provision of these materials does not create an attorney-client relationship with you or any other person and is subject to the [Network's Disclaimer](#).

Support for the Network provided by the Robert Wood Johnson Foundation. The views expressed in this document do not necessarily reflect the views of the Foundation.



¹ Local public health in Tennessee is generally administered at the county level; however, state statute provides for the formation of district health departments (formed by two or more contiguous counties) in addition to county health departments. § 68-2-701. State statute also provides that a municipality is empowered to have the county health department in the county in which it is located serve as its department of health. § 68-2-605. Relevant statutes and regulations at times include reference to “district” or “municipal” health departments, as well as county health departments, but they do so inconsistently. Further, they occasionally refer to “local health departments,” and “local health officers,” among other terms. The table generally aims to use these terms as they appear in the relevant statutory or regulatory provision.