

212.855 Members of district board of health -- Appointment -- Terms.

- (1) Except for district health departments which serve a county containing a city of the first class, an urban-county government, or which are part of an interstate metropolitan statistical area where the Kentucky population of the metropolitan statistical area exceeded two hundred fifty thousand (250,000) people on July 1, 1989, a district board of health shall consist of the following members:
 - (a) The county judge/executive or his designee from each county in the district as an ex officio voting member; and
 - (b) One (1) additional resident member per county per fifteen thousand (15,000) population or fraction thereof, which shall include the mayor, city manager, or the designee of the city manager of each city of the second class as an ex officio voting member, except that the total number of members from any county in a district shall not exceed seven (7) members.
- (2) All members except for the county judges/executive and the mayors of second class cities shall be appointed by the county or city-county boards of health from the membership of each county or city-county board of health.
 - (a) The secretary of the Cabinet for Health and Family Services shall notify the chairman of each county or city-county board of health in the district of the name of each member from that county whose term is expiring.
 - (b) Upon receipt of the notification, under paragraph (a) of this subsection, each county or city-county board of health shall appoint one (1) of its members to fill each vacant position from that county. At least twenty-five percent (25%) or the nearest whole number to twenty-five percent (25%) of the appointed members of the district board shall be doctors of medicine or osteopathy qualified, licensed, and practicing in the Commonwealth, and there shall be at least one (1) qualified, licensed, and practicing registered nurse, one (1) qualified, licensed, and practicing dentist, one (1) licensed pharmacist, one (1) qualified licensed engineer engaged in the practice of civil or sanitary engineering, one (1) qualified, licensed, and practicing optometrist, and one (1) qualified, licensed, and practicing veterinarian, when available, among the membership of the board. The remaining members of the district board shall be concerned community leaders residing within the county from which they are to be representatives.
 - (c) The chairman of the county or city-county board of health shall inform the secretary within forty-five (45) days of receipt of this notification of the names of the county or city-county board of health members appointed to serve on the district board. Appointed members of district boards of health shall not begin to serve on a district board of health until the time the secretary has certified their eligibility to serve on the board.
- (3) If a vacancy exists upon the district board, the vacancy shall be filled in a manner consistent with subsection (2) of this section, with the appointed member to fill the vacant seat coming from the county in which the vacancy occurs and the appointed member resides. If the term of a member on the county board of health expires or

the member cannot complete the term on the county board, the seat on the district board of health shall be declared vacant and the county or city-county board of health shall appoint another of its members to fill any unexpired portion of the term on the district board.

- (4) The appointed members of the district board of health shall hold office for a term of two (2) years ending on December 31 or until their successors are appointed. The terms of the first appointments shall be staggered so that members whose terms expire on June 30, 1992, shall be replaced with appointed members whose terms expire on December 31, 1994. Members whose terms expire on June 30, 1993, shall be replaced with appointed members whose terms expire on December 31, 1995.
- (5) The secretary shall remove any appointed member who fails to attend three (3) consecutive scheduled meetings.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 99, sec. 424, effective June 20, 2005. -- Amended 2002 Ky. Acts ch. 80, sec. 7, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 426, sec. 375, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 462, sec. 2, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 121, sec. 3, effective July 14, 1992. -- Created 1982 Ky. Acts ch. 228, sec. 1, effective July 15, 1982.

Legislative Research Commission Note (7/15/2002). Under the authority of KRS 7.136, the Reviser of Statutes has changed a reference in subsection (2)(b) of this section so that it reads "paragraph (a) of this subsection" rather than "subsection (a) of this section."