

AMENDMENT NO. 3

I. Section 10.101 of Article 10 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by deleting the language in the section in its entirety and replacing it with:

“There shall be a metropolitan board of health which shall oversee administration of the Metro Public Health Department as herein provided.”

II. Section 10.102 of Article 10 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by deleting the language in the section in its entirety and replacing it with:

“The board shall be composed of seven (7) members. One (1) member shall be a doctor of medicine or osteopathy certified for practice as such by the state board of medical examiners or board of osteopathic examination, licensed by the state licensing board for the healing arts, and who shall have had not less than five years’ experience in the active practice of his or her profession. One (1) member shall be a licensed mental health professional who shall have not less than five years’ experience in the active practice of his or her profession. One (1) member shall be a registered nurse. Two (2) members of the board shall be chosen without reference to occupation, except that they shall not come from the medical profession.

Two (2) members shall come from any of the following categories:

- A doctor of medicine or osteopathy certified for practice in Tennessee by the Board of Medical Examiners or Board of Osteopathic Examination;
- A practitioner in an allied health field with a background in the practice of public health;
- An attorney licensed to practice law by the Tennessee Board of Law Examiners;
- A veterinarian licensed by the Tennessee Board of Veterinary Medical Examiners;
- A dentist licensed to practice by the Tennessee Board of Dentistry;
- A person with a background in environmental health practice or policy;
- A person with an advanced degree in public health;
- A person with a background as a community health worker.

The members of the board shall be appointed by the mayor and confirmed by a majority of the whole membership of the council. They shall serve terms of five (5) years each. Any vacancy other than by expiration of term shall be filled for the unexpired term. Members of the board shall serve without compensation. The terms of board members shall be staggered to ensure no more than three seats are vacated in a given year.”

III. Section 10.103 of Article 10 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by deleting the language in the introductory phrase and replacing it with the following:

“The board of health shall hire the director of health, as specified below, and oversee his or her direction of the department of health with respect to all administrative functions of the metropolitan government pertaining to;” and,

IV. Section 10.103 of Article 10 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended in Function No. 7 by deleting the word “insane” and replacing it with the words “mentally ill.”

V. Section 10.104, of Article 10 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended in part by deleting in Duty No. 4 the words “chief medical director” and replacing them with the words “director of health or chief medical officer”, and in Duty No. 9 by deleting the words “chief medical director” and replacing them with the words “director of health.”

VI. Section 10.105 of Article 10 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by deleting the heading and section in their entirety and replacing them with the following:

“Section 10.105 – Director of health and chief medical officer – Appointment and qualifications.

The board shall appoint a director of health and may enter into an employment contract with such person for a period not exceeding five (5) years, and at a compensation to be fixed by the board. Such compensation so fixed shall be subject to approval by the council by resolution. The qualifications for the director of health shall be established by the board, subject to approval by the Metro Director of Human Resources.

If the director of health is not a doctor of medicine or osteopathy, the director shall appoint a medical doctor or doctor of osteopathy, who may be a member of the department of health staff, to serve as the chief medical officer, which appointment is subject to board approval. Any powers, duties, responsibilities, or authorities vested in the director of health that require or imply that the director is a licensed physician shall be delegated to the chief medical officer. Any such delegation shall be made in writing and filed with the board of health.”

VII. Sections 10.106, 10.107, and 10.110 of Article 10 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended in part by deleting the words “chief medical director” and replacing them with the words “director of health.”

FOR THE BALLOT

AMENDMENT NO. _____

This amendment differentiates between the board of health and the department of health, changes the membership of the board of health, refines and clarifies the roles and duties of the board of health, and modifies the qualifications for the director of health.

INTRODUCED BY:

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