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Modernizing Health and Human Services

Mayor Gary C. Christenson

February 18, 2025

Malden City Council

Rules and Ordinance Committee

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Goals

retirement of the long time Health Director as an opportunity to reevaluate the role and its responsibilities prior to advertising for a replacement with the following goals:

- Expand the scope of the Human Services aspect of the Health and Human Services Department
- Improve the enforcement side of Health and Health Code to better utilize technology and create scale
- Refocus language relative to the BOH to remove appointment and hiring authority and replace with a more standard approach
- Clean up all relevant language in the Charter and Ordinances while reflecting changes that accomplish the

Mass General Laws




Section 26: Boards of health in cities; membership; appointment; removal; compensation

[Print Page](#)[< Prev](#)[Next >](#)

Section 26. In each city, except as hereinafter provided, the board of health shall consist of three persons, one of whom shall be a physician. No one of them shall be a member of the city council. One member shall be appointed in January of each year for three years from the first Monday of the following February. Unless otherwise provided in the city charter, the members shall be appointed by the mayor, subject to confirmation by the board of aldermen, and may be removed by the mayor for cause, and vacancies shall be filled by appointment for the residue of the unexpired term. Members of the board shall receive such compensation as the city council may determine. Boards of health in towns shall be chosen as provided in chapter forty-one. This section shall not apply to any city in which a different type of organization is authorized by special legislative act or by the acceptance of sections twenty-six A to twenty-six E, inclusive.

Current Charter Language



BOARD OF HEALTH

Section 32. All power and authority now vested by law in the board of health for the town of Malden, or in the selectmen thereof, shall be transferred to and vested in the mayor and city council, until the city council, which shall have authority to establish a board of health, shall otherwise provide.

(Added: [C. 169 of 1881](#); Amended: [C. 550 of 1955](#))

- Section 32 transfers Board of Health power and authority to the Mayor and City Council unless/until the City Council establishes a Board of Health
- The City Council, through city ordinance section 2.16.02, has established a Board of Health

Note: Need to determine if this is good enough to override MGL Chapter 111 Section 26 relative to BOH appointment authority

Current Relevant City Ordinances

2.16.020 BOARD OF HEALTH

- A. The City Council shall annually appoint one member of to the Board of Health, who shall serve for a term of three years; provided that at least one appointee shall be a physician licensed to practice in the Commonwealth. The Board of Health shall have and exercise all the powers and duties conferred upon Boards of Health in cities by Mass. Gen. Laws ch 111.
- B. The Board of Health shall annually, as soon after the first Monday in March as practicable, meet and organize by the choice of a chair and clerk. The clerk shall not be a member of the Board. The Board may make such rules and regulations for its government, and the government of all subordinate officers in its department, as it may deem expedient, and shall hear and decide appeals to orders issued by its agents.
- C. The Board of Health may appoint such subordinate officers, agents or assistants as it may deem necessary, and fix their compensation, subject to funding by the Mayor and City Council.
- D. The Board of Health shall make and publish such rules and regulations as are necessary for the public health, safety and welfare.

2.08.040 ENUMERATION OF BOARDS AND COMMISSION APPOINTED OFFICERS; TERMS AND DUTIES

The following officers, department directors, and boards and commissions shall be appointed by the official or officials and for the terms and purposes hereinafter described:

Appointed by City Council			
Assessors	3	3 yrs.	Charter Section 19
Board of Health	3	3 yrs.	MCC 2.12.105

2.12.105 DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

- A. Under the direction of the Public Health Director, the Department of Public Health and Human Services serves to protect, promote, and sustain the personal and environmental health of the community. This is accomplished through education, policy development and enforcement of laws and regulations governing health, environment, housing, and sanitation. The Department also works to strengthen the ways in which public health and social services work together to be responsive to the physical, social, and emotional needs of community members.
- B. The Public Health Director is the administrative officer of the department and shall provide for the internal organization of the department and shall, subject to funding, hire and supervise assistants, nurses, inspectional personnel, and other support staff.
- C. The Board of Health shall appoint the Public Health Director who shall be an agent of the Board of Health and shall have all the powers and duties ascribed to such agents under Massachusetts General Laws or from time to time vested in him by the Board.
- D. Sealer of Weights and Measures:
 - 1. The Sealer of Weights and Measures shall be appointed from a Civil Service list by the Mayor. They shall be an agent of the Board of Health and shall work under the supervision of the Director of Public Health.
 - 2. The Sealer of Weights and Measures shall test scales, weights and measures for the public, shall have the care and custody of all public scales of the City, shall enforce all laws relative to the use of weights and measures.

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 - - Recommendation #1- Move Health Inspectors and Compliance Officers to ISD

Recommendation

Redirect reporting of Health Inspectors and Compliance Officers to Inspectional Services

Steps to Accomplish

Update language in 2.12.08 (Inspectional Services) to add responsibility for oversight and management of Health Inspectors and Compliance Officers

Remove stand alone section 2.12.060 for Compliance Officers

Benefits

A unified approach to enforcement that will enable the utilization of technology and potential resource cross training for scale

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Recommendation #2 – Expand Human Services:

(Sr. Center, Teen Center, Language Access)

Recommendation

Redirect reporting of Sr. Center, Teen Center Coordinators and Language Access to fall under Health and Human Services

Steps to Accomplish

Update language in 2.12.13 (Sr. Center Coordinator) to include reporting to Health and Human Services Director

Update language in 2.12.18 (Teen Center Coordinator) to include reporting to Health and Human Services Director

Benefits

More unified, expansive approach to Human Services while reducing Mayoral direct report number

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Recommendation #3 – Update Regulatory Language

Recommendation

Reword ordinances relative to Director and Staff appointments to make them consistent with all other departments

Steps to Accomplish

Update language in 2.16.02 (Board of Health) to remove any language relative to appointment of staff and subordinates

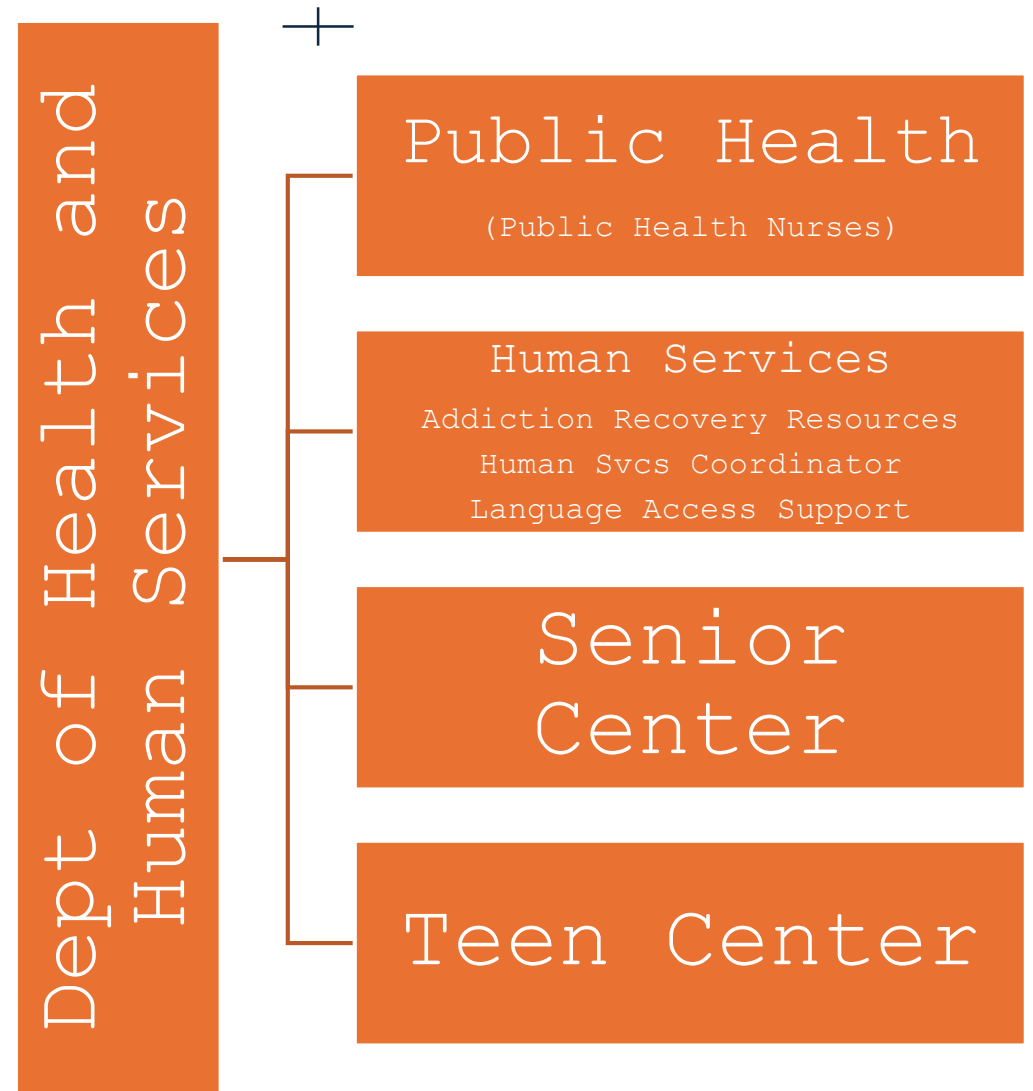
Update language in 2.12.105 (Dept of Public Health and Human Services) to remove language on the appointment of director by BOH; replace with Mayoral appointment with council confirmation

Update 2.08.04 (Enumeration of Appointed Officers) to add Director of Public Health and Human Services to reflect a 3- year term appointed by Mayor with Council Confirmation

Benefits

More unified, expansive approach to Human Services while reducing Mayoral direct report number

HHS Organizational View As Proposed



Current Health Departme nt Oversigh t:

Rental Unit
Inspections

Vaccines

Food
Permits

Rodent Control

Dumpsters

Mosquito Control

Snow /
Ice

Recovery

Pools

Public Health

Education
Food Trucks

Body Art

Inspectional Services Organizational View As Proposed



Future

INSPECTIONAL SERVICES	HEALTH AND HUMAN SERVICES
Rental Unit Inspections	Vaccines
Food Permits	Rodent Control Program
Snow/Ice	Mosquito Control Program
Pools	Addiction Recovery Support
Food Trucks	Public Health Education
Body Art	Language Access

This is NOT a comprehensive list but rather a representative list of the key enforcement functions that move to ISD (along with the staff).