



STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

BRIAN CALLEY
LT. GOVERNOR

EXECUTIVE ORDER
No. 2017 - 10

CREATION OF THE
PUBLIC HEALTH ADVISORY COUNCIL

DEPARTMENT OF HEALTH AND HUMAN SERVICES

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor unless otherwise provided by the constitution; and

WHEREAS, the Public Health Advisory Commission was created as a temporary commission under Section 4 of Article V of the Michigan Constitution by Executive Order 2016-19 to make recommendations for improvements to Michigan's public health delivery system; and

WHEREAS, the Public Health Advisory Commission successfully completed its duties by issuing a final report in April of 2017 ("the Report"); and

WHEREAS, in the Report, the Public Health Advisory Commission recommended that a permanent public health advisory council be created to provide advice in implementing the recommendations of the Public Health Advisory Commission, to serve as a forum to address emerging state and local public health threats, and to provide state officials and external public health stakeholders the opportunity to collaborate on public health responses; and

WHEREAS, it is necessary to create a permanent advisory council to ensure the successful implementation of the recommendations set forth in the Report; and

WHEREAS, addressing emerging state and local public health threats requires the collaboration of state officials and external public health stakeholders;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. CREATION OF THE PUBLIC HEALTH ADVISORY COUNCIL

A. The Public Health Advisory Council ("the Council") is established in the Department of Health and Human Services ("the Department").

B. The Council shall be composed of twenty-six (26) members appointed as follows:

1. The Chief Medical Executive, head of the Office of Chief Medical Executive established by Executive Order 2016-19, shall be a voting member and shall serve as the chairperson of the Council.

2. The Governor shall appoint twenty (20) voting members to the Council serving at the pleasure of the Governor.

3. The following five (5) department heads or their designees from within their respective departments who shall serve as non-voting, ex officio members:

- The Department of Agriculture and Rural Development
- The Department of Environmental Quality
- The Department of Health and Human Services
- The Department of Licensing and Regulatory Affairs
- The Department of State Police, or a designee from the Division of Emergency Management and Homeland Security, within the Department of State Police.

C. Of the initial appointments made by the Governor, seven (7) shall be for 1-year terms, six (6) shall be for 3-year terms, and seven (7) shall be for 4-year terms. Thereafter, all members shall be appointed to 4-year terms. Members of the Council may be reappointed to successive terms.

D. A vacancy on the Council shall be filled in the same manner as the original appointment.

E. The Governor shall, to the extent practicable, appoint members from all regions of Michigan to achieve geographic diversity.

F. The nineteen voting members of the Council appointed by the Governor shall include at least one member representing each of the following categories:

- A physician
- A registered nurse
- A licensed pharmacist
- A veterinarian
- A representative of a nationally-accredited medical school

- A representative of a school of public health from an institution of higher education in the state
- A local public health official
- A person with experience in hospital administration
- A local director of public works
- An epidemiologist
- A toxicologist
- A food safety expert
- An expert in environmental health; and
- A representative of a non-profit health or environmental organization.

II. CHARGE TO THE COUNCIL

A. The Council shall act in an advisory capacity to the Governor and the Director of the Department, and shall do all the following:

1. Provide guidance and advice about emerging issues in public health, or other public health matters, as deemed appropriate, or as requested by the Governor or the Director of the Department.
2. Develop and propose an action plan for implementing the recommendations set forth in the Report.
3. Monitor the effectiveness of Michigan's public health response system, particularly in circumstances in which multiple government agencies are required to work in collaboration in response to a public health threat.
4. Review multiagency efforts that support a One-Health approach (human health/animal health interface) to reduce duplication of effort by involved agencies and to form a unified communications strategy when addressing public health concerns.

B. The Council shall issue an annual report to the Governor outlining the status of its progress addressing the charges set forth in this section and providing recommendations of further actions necessary to improve Michigan's public health delivery system.

III. OPERATIONS OF THE COUNCIL

- A. The Council shall be assisted by personnel from the Department.
- B. The Council may select from among its members a Vice Chairperson.
- C. The Council shall meet at the call of the Chairperson, at least twice per year, and as otherwise may be provided in procedures adopted by the Council, to

review multi-agency Emerging Public Health Issue Notifications for the relevant period and provide guidance and advice for enhanced future responses.

D. The Council may establish workgroups or committees assigning Council members to and inviting public participation on these workgroups or committees as the Council deems necessary. The Council may adopt, reject, or modify recommendations made by the workgroups or committees.

E. A majority of the voting members of the Council serving constitutes a quorum for the transaction of the Council's business, notwithstanding the existence of one or more vacancies. The Council shall act by majority vote of its present and voting members.

F. The Council shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

G. The Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. Subject to the approval of the Director of the Department, the Council may consult with outside experts to perform its duties, including, but not limited to, experts in the private sector, government agencies, institutions of higher education, and the nonprofit sector.

H. To gather information, as appropriate, the Council may hold public hearings.

I. Members of the Council shall serve without compensation. Subject to the approval of the Director of the Department and available funding, members of the Council may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Department.

J. The Council may accept grants of funds, donations of funds, property, labor, services, or other things of value from any public or private agency or person. Any donations shall be expended in accordance with applicable laws, rules, and procedures.

K. A member of the Council shall not use for personal gain information obtained by the member while performing business of the Council, nor shall a member of the Council disclose confidential information obtained by the member while conducting Council business, except as necessary to perform Council business.

L. Members of the Council, staff, or contractors shall refer all legal, legislative, and media contact relating to Council actions or activities to the Department.

IV. MISCELLANEOUS

A. The Public Health Advisory Commission created by Executive Order 2016-19 is abolished, its task having been completed.

B. Nothing in this Order is intended to modify the important roles played by the Michigan Association for Local Public Health (MALPH) or the Michigan Association of Local Environmental Health Administrators (MALEHA). State public health leaders should continue to meet and actively engage with MALPH and MALEHA on a regular basis, as appropriate.

C. Any suit, action, or other proceeding lawfully commenced prior to the effective date of this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

This Order shall become effective upon filing.

Given under my hand and the Great Seal of the state of Michigan this 20th day of November, in the Year of our Lord Two Thousand and Seventeen.



RICHARD D. SNYDER
GOVERNOR

BY THE GOVERNOR:


SECRETARY OF STATE

FILED WITH SECRETARY OF STATE

ON 11/20/17 AT 2:00 PM.