

# B . C . B . O . H . A .

## Berkshire County Boards of Health Association

### LBOH Core Duties 2023.10.06

Common Core Duties	Common Tasks	M.G.L./CMR	Frequency	Training*	Fees?
<b>Record Keeping</b> Budgeting, Administration, Office operations, Complaint log, Annual report to the Town	Secure and available to the Public	M.G.L c.111,s28	As per public records schedule; need permission to destroy	Computer programs, budgets, database, office skills, MAHB	Can charge for copies/ research time
Pass reasonable <b>Local BOH Regulations</b>	Meet local needs Enforcement	M.G.L c.111, s31-Town Clerk attest, Publish & send to DEP	As Needed	Legal Nuts and Bolts MAHB, BCBOHA	Maybe
<b>Food Establishments</b> permits & enforcement includes: <ul style="list-style-type: none"> <li>• Restaurants and cafeterias</li> <li>• Retail Food Establishment</li> <li>• Catering and Caterers</li> <li>• Mobile Food Wagons</li> <li>• Temporary Food Service</li> <li>• Frozen Deserts</li> <li>• Bakery</li> <li>• Milk</li> <li>• Non-profits serving food to public</li> <li>• Special Events with food</li> <li>• Egg processors</li> <li>• Cold Storage warehouses</li> <li>• Shellfish labeling enforcement</li> <li>• Prevention of adulterated foods</li> <li>• Carbonated beverages</li> <li>• Food safety</li> </ul>	Inspections & Permit <ul style="list-style-type: none"> <li>• Before opening</li> <li>• 2 x annually</li> <li>• Complaints</li> <li>• Fire/Floods</li> <li>• Water supply</li> </ul> Annual Food Establishment Reports to DPH  Reports of Food poisoning to DPH within 24 hours	105 CMR 590; 300.00 - Issue permits for plants which break and can eggs. M.G.L. c.94, s.89. - License milk pasteurization plants. M.G.L. c.94, s.48A - Carbonated non-alcoholic beverages. M.G.L. c.94, s.10A - Bakery Regulations. M.G.L. c.94, s.94F; 105; CMR 550.000; 105 CMR 551.000 - Frozen desserts, M.G.L. c.94, s.65H; 105 CMR 561.000 - Refrigerated warehouses, M.G.L. c.94, s.67. - Shellfish: M.G.L. c.130, s.81 - Adulterated Food, M.G.L. c.94, ss.186-195. - Condemn food. M.G.L. c.94, s.146; 105 CMR 590.012.	2 / year  Or Risk Based  Follow up Complaints	- Certified Food Protection Manager (ServSafe) <b>AND</b> Inspector Training (LPHI or Alliance Awareness or MA PHIT) - BCBOHA Choke Saver Training - On-Line Allergy Training - BCBOHA Temp Food Training - Alliance/MaPHIT Food Training - FDA Certified Food Inspector	Yes –  Example Small - \$75 Medium - \$250 Large – \$450 + (Based on inspection plus office time)
<b>Beaches</b>	Testing, Inspections, Variances; Beach closures; Review plans	105 CMR 445 105 CMR 445.10 (-3)	2 times/season Sample weekly		Yes
<b>Swimming Pools/Spas/ Bath houses</b>	Inspections & Permit Review Plans Variances, sampling	105 CMR 435 MGL c 140, s 51 105 CMR 445.16.	Opening insp /sampling & periodically	Certified Pool Operator (CPO)	Yes
<b>Family Camps</b> -Family and Recreational	Inspections & Permit Variances	MGL140,s32B/32C 105 CMR 440;	Opening/periodically	Housing Code + Pools, Beaches, Food	Yes
<b>Children’s Rec Camps</b>	Inspections & Permit Variances	105 CMR 430	Opening; each session	Basic Camp Inspection Course	Yes – \$300-\$800 est.

<b>Nuisances</b>	May make regulations	M.G.L. c.111, s.122.	As needed		Maybe
<b>Complaints/Housing</b> <ul style="list-style-type: none"> <li>• Housing, including heat</li> <li>• Public Buildings, safety</li> <li>• Mold and dampness</li> <li>• Unsafe or unsanitary</li> <li>• Air Quality</li> <li>• Lead</li> <li>• Sound, smells</li> <li>• Drinking water</li> <li>• Smoking</li> <li>• Food</li> <li>• Septic Issues</li> <li>• Nuisances, pesticides</li> <li>• Mosquitoes, insects</li> <li>• Garbage, wastes</li> <li>• Lack of utilities</li> </ul>	-Investigate ; enforce protect the Public -Issue variances -Ensure health and environment -Disinfect housing occupied by someone with dangerous disease. -Enforce Lead Regulations -Written response to smoking complaints; copy to DPH	105 CMR 410: MGL c 111, s. 127A; s.127B  M.G.L. c.111, s.109.  Lead: M.G.L. c.111, s.198; 105 CMR 460  105 CMR 460.000.  M.G.L. c.270, s.22. -Condemn nuisances M.G.L. c.111, s.128 -Condemn buildings M.G.L. c.111, s.127B.	Within 24 hours  On request	MaPHIT Housing Housing Court Hoarding Aggressive People Awareness Lead Inspector Food and Water Emergencies Sanitary Survey of Carnivals Private Wells and Public Water Indoor Air Quality Chemical Spills Meth Labs Self Defense Healthy Housing Sp	Fees difficult: Pre-rental inspection program with appropriate fees can be used to fund inspection program
<b>Motels/Hotels/B&amp;B/Mobile Home Parks</b>	Permit, Inspect	MGL c140, s32B MGL c140, s 36	Annually before permit	Housing Inspection Course	Yes -
<b>Body Art Practitioner and Establishment Permits</b>	Permit, Inspect	Need local regulations	Annually before permits issued	Infection Control	Yes
<b>Tanning Parlors</b>	Permit, Inspect	M.G.L.c.111, s208.;105 CMR 123:			Yes
<b>Septage and Garbage Haulers</b>	Make Rules License; Inspect	M.G.L.c.111, s.31A/B 310 CMR 15:	Annually	Solid Wastes/ DEP courses	Yes
<b>Animals</b> <ul style="list-style-type: none"> <li>• Rabies</li> <li>• Other diseases</li> <li>• Inspect Farm Animals</li> <li>• Inspect Stables/Dairy Farms</li> <li>• License piggeries, etc.</li> </ul>	-Report -Provide vaccine -Collect samples	M.G.L. c.140, s.145A, 105 CMR 335.	As needed	Animal Inspectors (BOH appoint) and Animal Control Officer training	May share dog lics. fees May charge for piggeries
<b>Septic Systems</b> <ul style="list-style-type: none"> <li>• DSCP</li> <li>• Excavation Inspection</li> <li>• Final Inspection</li> <li>• Pumps and I/A Technology</li> <li>• Septic Installers</li> </ul>	Construction or Repair -Plan Review/Permit -Inspection -Inspection -Inspection -License	310 CMR 15: MGL c 111 s 31E Must hold hearing for LBOH Title 5 regulations and file with DEP.	Before issuing Before Filling Before Closing Before C /C Inspect A/I systems yearly	Septic System Design BCBOHA Installers Course Hydric Soils Wetlands Delineation	Yes, may charge fee for every septic related service.

<b>Perc Tests &amp; Deep Holes</b>	Witness Soil Evaluation/Perc test	310 CMR 15	On request	Soil Evaluator and Advanced Trainings	Yes
<b>Title 5 System Inspections</b>	Review or Witness Inspect.	310 CMR 15	Upon transfer	System Inspector	Yes
<b>Disease surveillance:</b> sampling, investigation, treatment, studies, prevention, isolation and quarantine	Reporting and follow up, TB treatment Isolation and Quarantine Orders	M.G.L. c.111, s.111; s. 111A, s.112, s.7, s.29 M.G.L. c.71, s.55A 105 CMR 300.100	Varies, but most within 24 hours	Infectious Disease Training Nurse for TB treatment MAVEN	No
<b>Wells</b>	Permit, decommission, protect	Need local Regulations for Private Wells			Yes
<b>Beavers</b>	Inspections & Permits	MGLc 131, s 80A	Within 24 hours	Wetlands Identification	Yes
<b>Pesticides</b>	Local Regulations Emergency Pesticide Permit at schools Application in R/W	M.G.L. c.132B or state regulations, 333 CMR 2.00.  333 CMR 11.07.	Within 24 hours	Pesticide Training	Maybe
<b>Tobacco Control/ Youth Access</b>	License and Inspect	MGL c 270, s 22ml	Annually	Tri-Town Tobacco	Yes
<b>Pre-Demolition Permits</b>	Baiting for rodents Hazardous Material removal	Hazardous Materials: 454 CMR 28. 310 CMR 7.15, Baiting – Building Code and Nuisance Control Regs Septic/Wells Decommissioned – T5	As needed	Pests, Asbestos, Mercury, Pesticides, Paints/Oil, Coolants, Batteries, Fuel, radioactive materials,	Yes
<b>Building Permit</b> sign off	Certify Water & Sewerage	310 CMR 15.021(5); 15.301 (5)	As needed		Yes
<b>Infectious Diseases</b> • School reports • Infants reports • Dairy Farms • Cerebral palsy • Disinfect buildings • Isolation/Quarantine	As needed Infant reports to prevent blindness	M.G.L c.71,s55A M.G.L c.111,s110 105CMR 310.100-110 M.G.L c.111,s111A M.G.L c.111,s109 M.G.L. c. 111, s. 92-121A		MAVEN	Maybe, but unlikely
<b>Vaccinations</b> , Flu Clinic, etc.	Provide to the Public May Require Vaccinations	MGL c 111, s 181	Annually	Registered Nurse	Sometimes
<b>Duties Sometimes Performed</b>	<b>Common Tasks</b>	<b>M.G.L./CMR</b>	<b>Frequency</b>	<b>Training</b>	<b>Fees?</b>
<b>Solid Waste Sites:</b> Transfer Stations/Hazardous Waste Facility Assignment	BOH approval; oversight Public Hearings; reports Reports to Selectmen/Mayors Applications for salvage	MGL c 111, 150A/B M.G.L.c.21C s.4 310 CMR 19.18; 18.15(1); 1925 310 CMR 18.00. 310 CMR 19.32; 18.27.	Application; annually  Inspect annually	DEP	Probably

	operations Inspections Evaluations Variances Sharps Emergency Plans	310 CMR 18.21.			
<b>Gas/Electric certification</b> to avoid shut-offs	Used if resident has a serious illness.	M.G.L. c.164, s.124A; 220 CMR 25.03(2).			Unlikely
<b>Hazardous Waste Haulers</b> Medical/Biological	License	105 CMR 480:	Annually	Toxics and Hazardous Wastes	Yes
<b>Animal Inspectors</b>	Nominate, disease reports	MGL 129, s 15	Annually		No
<b>Death Reports</b>	Deaths - Dangerous Diseases	M.G.L c.111,s29	Weekly to DPH		No
<b>Cemeteries</b>	Approve locations	M.G.L. c.114. s.34.	On request		Yes
<b>Death Certificates</b>	Process	M.G.L c.46,s11	Can delegate		Yes
<b>Burial Permits</b>	Issue	MGL c 46 s 11	Usually delegated		Yes
<b>Funeral Directors</b>	Permit/Inspection	MGL c 114, s 49	Annually		Yes
<b>Noisome Trades</b>	Permit, Regulate Assign locations	M.G.L. c.111, s.151. M.G.L. c.111,s.143.	As needed		Yes
<b>Emergencies Planning and Response</b> (Under the community's Comprehensive Emergency Management Plans – CEMP)	<ul style="list-style-type: none"> <li>- Continuity of Operations Plans (COOP)</li> <li>- Disease Surveillance</li> <li>- Disease Investigation</li> <li>- Sampling</li> <li>- Isolation and Quarantine</li> <li>- Mass Prophylaxis (EDS)</li> <li>- Medical Shelters</li> <li>- Animal Shelters</li> <li>- Behavioral Health</li> <li>- Risk Communications</li> <li>- Mass Burials</li> <li>- Debris Disposal</li> <li>- Rabies vaccine</li> </ul>	State Sanitary Code, Chapter 1, 105 CMR 400.200(B), pursuant to M.G.L. c.111, s.127A; State Environmental Code, Title I, 310 CMR 11.05(1).	As needed, should be annually updated	NIMS 700, ICS 100, 200, 300 Pandemic Flu HSEEP Risk Communications Behavioral Health First Aid Isolation and Quarantine Personal Protective Equipment Radiological Training Agricultural Terrorism Weapons of Mass Destruction Animals in Disasters Unattended Deaths ARC Shelter Training	No
<b>Subdivisions sign off</b>	Review plans for water management., septic/water	MGL c41, s.81S-81V	45 days to approve	Send letter to Planning Board	Yes
<b>Farm Labor Camps</b>	State and local	MGL c111, s 127G; 105 CMR 420:			Maybe
<b>Indoor Ice Rinks</b>	Permit; inspect	105 CMR 675			Yes
<b>TB Management</b>	As needed	MGL c 111 s 94H/A;95;105CMR 365		Must be trained nurse	Insurance?

<b>Bath Houses/ Head Massage</b>	Regulate and Permit	MGL c 140, s.51			Yes
<b>Duties Seldom Performed</b>	<b>Common Tasks</b>	<b>M.G.L./CMR</b>	<b>Frequency</b>	<b>Training</b>	<b>Fees?</b>
<b>OSHA Complaints</b>	Investigate & enforce Occupational hazards	105 CMR 300.000.			Maybe
<b>Disease Prevention/Wellness</b>	Programs; outreach	MGL c111,s7	Ongoing		No
<b>Social Services Support</b>			Ongoing		No
<b>Improve Public Health Practice</b>			Ongoing		No
<b>Provide Public Health Leadership</b>			Ongoing		No
<b>Workforce Development</b>	Internships		Ongoing		No
<b>Medical/Dental Clinics</b>	Adopt rules as needed	M.G.L. c.111, s.50 and hospitals, M.G.L. c.111, s.92			Maybe
<b>Fluoridation</b>	May Require	M.G.L. c.111, s.8C.			No
<b>School Physician</b>	May Appoint	M.G.L. c.71, s.53.			No
<b>Dairy Farm Disease Reports</b>		105 CMR 310.100-110			No

*\*Sanitarians and Certified Health Officers (CHO) have many of these trainings and certifications as part of their certification. Foundations for Local Public Health Practices cover many of these training areas as well. The Local Public Health Institute has many introductory training modules online.*