

tive or County Board of Health may authorize; and to eliminate the Council's authority to organize and define the function of the Department of Health because such authority is contrary to the provisions of the Charter for Montgomery County; to authorize the County Executive to set fees for Health Department services; and to delete a redundant provision of the Code.

*Be It Enacted by the County Council for Montgomery County, Maryland, that—*

SEC. 1. Section 2-65, Chapter 2, title "Administration," of the Montgomery County Code 1965, is hereby repealed and re-enacted, with amendments, to read as follows:

2-65. Generally.

(a) Establishment; appointment, removal, composition, etc., of County Health Officer. There is hereby established a Department of Health under the immediate direction of the County Health Officer, who shall be appointed by the County Executive subject to the confirmation of the County Council, and who shall also be appointed and removed by the State Board of Health and Mental Hygiene and who shall not practice medicine in any manner except in connection with his official duties as County Health Officer.

(b) Functions; powers and duties. In addition to those functions assigned to it by and pursuant to State law and exercised under the direction of the Deputy State Health Officer, who is also the County Health Officer, the State Board of Health and Mental Hygiene, and the State Commissioner of Health, the Health Department shall have the functions set forth in this Article to the extent that all such functions are within the authority and jurisdiction of the County. The Health Department shall collect data relating to health problems and resources and shall plan, develop, and administer a sound program of community health services. For this purpose the Department is empowered to: Administer contracts for service, enforce regulations, provide selected preventive and personal health services; engage in programs for the control of communicable and chronic diseases; furnish health information to individuals or to groups; administer programs of medical and institutional care; engage in cooperative programs with official agencies of the State and other political subdivisions, and with voluntary groups; maintain vital and case records; operate laboratories; conduct studies, investigations and training related to the foregoing; and carry out such other functions as the County Executive or County Board of Health may authorize and direct or as are authorized and directed by state laws and regulations.

(c) Eligibility and fees for services. The Council is hereby authorized to adopt resolutions establishing eligibility. Fee schedules for any Health Department services shall be established by the