

STATE OF DELAWARE



EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER NUMBER THIRTY-THREE

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: Establishment of Statewide Health Coordinating Council (SHCC) and Designation of the State Health Planning and Development Agency (SHPDA)

WHEREAS, the National Health Planning and Resources Development Act (P.L. 93-641) requires a Statewide Health Coordinating Council; and

WHEREAS, the Interim Comprehensive Health Planning Council, established by Governor Sherman W. Tribbitt on June 10, 1975 in Executive Order Number Seventy-four is not established or composed entirely in accordance with the requirements of P.L. 93-641; and

WHEREAS, representatives of the State and the Health Planning Council, Inc. and the Kent-Sussex Health Planning Council, Inc. have entered into a memorandum of understanding which affects the establishment and composition of any Statewide Health Coordinating Council; and

WHEREAS, it is desirable to establish a Statewide Health Coordinating Council in accord with this memorandum and with the requirements of P.L. 93-641 in order that the State may benefit from the provisions of the federal Act; and

WHEREAS, P.L. 93-641 also requires the designation of a state health planning and development agency; and

WHEREAS, the Bureau of Health Planning and Resources Development, Department of Health and Social Services has served as the State Agency under the Comprehensive Health Planning Act and the Hospital Survey and Construction Act; and

WHEREAS, the Bureau of Health Planning and Resources Development, Department of Health and Social Services, has authority under the Delaware Code to function as the State Health Planning and Development Agency as required by Section 1521 of P.L. 93-641; and

WHEREAS, the Bureau of Health Planning and Resources Development, Department of Health and Social Services, has been conditionally designated as the State Health Planning and Development Agency under Section 1521 of P.L. 93-641; and

WHEREAS, the Delaware Health Council, Inc. has been designated as the health systems agency of the State of Delaware under Section 1512 of P.L. 93-641;

NOW, THEREFORE, I, PIERRE S. du PONT, IV, by the authority vested in me as Governor of the State of Delaware, do hereby declare and order as follows:

1. Executive Order Number Seventy-four, promulgated by Governor Sherman W. Tribbitt and dated June 10, 1975 is hereby rescinded and the "Interim Comprehensive Health Planning Council" established by said Executive Order is hereby abolished.

2. There is hereby created and established a "State-wide Health Coordinating Council" (hereinafter referred to as SHCC).

3. SHCC shall consist of twenty-six members, to be appointed as follows:

a. Sixteen members appointed by the Governor from a list of nominees submitted to him by the Delaware Health Council, Inc. At least eight of such members shall be individuals who are consumers of health care and who are not providers of health care. There shall be at least five nominees submitted to the Governor by the Delaware Health Council, Inc. for each of the sixteen positions.

b. Ten additional members appointed by the Governor, a majority of whom shall be consumers of health care who are not also providers of health care.

4. Of the initial appointees to SHCC, nine shall be appointed for three-year terms, nine shall be appointed for two-year terms, and eight shall be appointed for one-year terms. Thereafter, all members shall be appointed for three-year terms.

5. The Chairperson of SHCC shall be selected by SHCC from among its members.

6. SHCC shall have the following duties and responsibilities:

a. Prepare, review and revise, at least annually, a State Health Plan to deal with statewide health needs. In connection therewith, SHCC shall hold public hearings on any preliminary State Health Plan submitted to it by the Bureau of Health Planning and Resource Development, giving interested persons an opportunity to submit their views orally and in writing. Public notice shall be given of such hearing in compliance with the requirements of Section 1524 of P.L. 93-641.

b. Advise the Bureau of Health Planning and Resource Development on the performance of its functions.

c. Review annually any health systems plan, any annual implementation plan, and the budget of the Delaware Health Council, Inc. and report its comments to the Secretary of Health, Education and Welfare.

d. Review applications submitted by the Delaware Health Council, Inc. for grants under P.L. 93-641 and report its comments to the Secretary of Health, Education and Welfare.

e. Review annually and approve or disapprove any State plan and any application, and any revisions thereof, submitted to the Secretary of Health, Education and Welfare as a condition to receipt of any funds under allotments made to the State under the National Health Planning and Resources Development Act (P.L. 93-641),

the Community Mental Health Centers Act, or the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970.

f. To perform such other functions as shall be assigned to it by the Governor which are not inconsistent with the provisions of P.L. 93-641.

7. The Bureau of Health Planning and Resources Development, Department of Health and Social Services, is hereby designated to perform those functions of a State Health Planning and Development Agency, as prescribed in Titles XV and XVI of P.L. 93-641, and shall provide staff support to SHCC.

APPROVED this 5th day of November, 1977.

Chris L. Buh
Governor

ATTEST:

Henry C. Keaton
Secretary of State

