

or at times and places as prescribed by the rules of the board. The board shall hold not less than 12 meetings each fiscal year with an interval of not more than 5 weeks between 2 meetings.

(3) At the first meeting following the appointment of a new member to the board, the members shall choose 1 member as chairperson, who shall continue to act as chairperson of the board until the selection of a successor.

(4) If a member of the county social services board, upon receiving notification, fails to attend 3 consecutive regularly scheduled meetings of the board, the county board of commissioners after notification from the county social services board of the failure of a member to attend without reasonable cause such as illness or other circumstances beyond the member's control shall by formal vote excuse the member or declare the office vacant. The vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment was made.

(5) Members of the board shall be reimbursed for necessary travel and other expenses, and shall be paid such amount as shall be fixed by the board of commissioners or board of county auditors.

(6) Except as prescribed in sections 35 and 64, a writing prepared, owned, used, in the possession of, or retained by the county social services board in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976.

400.48 Organization of counties into single administrative unit; appointment of director.

Subject to the provisions of this subsection, the department director may organize not more than 3 counties into a single administrative unit for purposes of administrative efficiency. Before a decision is made to organize counties into a single administrative unit as allowed under this section, the department shall have a formal consultation with the boards of those counties. The director of the single administrative unit shall be appointed by the department from among persons certified as eligible and recommended by the department and by all of the affected county boards. If the affected county boards are unable to reach agreement on recommended candidates within 3 months after being notified of a vacancy, the director of the single administrative unit shall be appointed by the department from among persons certified as eligible and recommended by the department and by 1 or more of the affected county boards.

400.58 County medical care facility; program of care and treatment; medical treatment and nursing care; special treatment; building; review of proposals and plans; inspection; enforcement.

(1) A county board may, with the approval of the county board of commissioners, supervise and be responsible for the operation of a county medical care facility in, auxiliary to, or independent of the county infirmary. If a county has a board of county institutions, a county medical care facility shall be supervised and operated by the board of county institutions, and all references in this section to the county board means, for that county, the board of county institutions. The county board in a county that has established a county medical care facility may collect from any available source for the cost of care given in the facility and the collections shall be deposited in the social welfare fund created under section 73a. The facility shall provide a program of planned and continuing medical treatment and nursing care under the general direction and supervision of a licensed physician employed full or part-time who shall be known as the medical director.

400.74 Child care and social welfare funds; disbursement; bond; purchases made locally

All moneys in the child care fund provided for the use of the county department and all moneys in the social welfare fund shall be disbursed on the order or warrant of the county department, over the signature of a person or persons designated by the board. The board shall require a suitable and adequate bond from all persons designated to sign such orders conditioned for the proper handling of all such disbursements.

All purchases by the board shall, insofar as possible, be placed with business concerns located within the county for which such board is appointed and shall be spread equitably among business concerns.

400.78 Grants and gifts; acceptance by county board; use of funds; duty of prosecuting attorney.

The county board may receive on behalf of the county any grant, devise, bequest, donation, gift or assignment of money, bonds or choses in action, or of any property, real or personal, and accept the same, so that the right and title to the same shall pass to the board. All such bonds, notes or choses in action, or the proceeds thereof when collected, and all other property or things of value so received by the board shall be used for the purposes set forth in the grant, devise, bequest, donation, gift, or assignment: Provided, That such purposes shall be within the powers conferred on said board. Whenever it shall be necessary to protect or assert the right or title of the board to any property so received or derived as aforesaid, or to collect or reduce into possession any bond, note, bill or chose in action, the prosecuting attorney is directed to take the necessary and proper proceedings and to bring suits in the name of the board on behalf of the county in any court of competent jurisdiction, state or federal, and to prosecute all such suits.

400.79 Prosecuting attorney; duty to give counsel to board or director

It shall be the duty of the prosecuting attorney of each county to give his counsel and advice to the board or director whenever the board or director may deem it necessary for the proper discharge of the duties imposed upon them in this act.

400.80 County social welfare board; reports to state department.

It shall be the duty of the county social welfare board to report to the state department monthly, and in such form as the state department shall furnish and prescribe, the activities of the county department. The board shall also make such other and additional reports as shall be required by the state department.

Public Act 280 of 1939, and what it means to you as a county DHHS board member



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THE SOCIAL WELFARE ACT Act 280 of 1939

AN ACT to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.

To that end, each county DHHS office has a three-person volunteer board. Two members are appointed by the county commissioners and one member is appointed by the state director of the Department of Health and Human Services.

400.3a Advisory committee; establishment; appointment of members; recommendations from county social services boards and county social services association; advising on statutes and policies.

(1) There is established an advisory committee to the state department consisting of 10 members appointed by the Michigan county social services association in accordance with a plan adopted by a majority of the members of the association. The association shall receive recommendations from the county social service boards and annually prepare and submit recommendations to the director. The director shall receive and respond to recommendations from the association on matters including but not limited to:

- (a) The preparation of annual budget recommendations for the department prior to submission to the governor.
- (b) Priorities for social services components of the state social services plan prepared in compliance with Title XX of the federal social

security act, Public Law 93-641, and subsequent amendments.

(c) Program and policy guidelines relating to the conduct of and eligibility standards for general public relief and burial.

(d) Development and implementation of complementary policies between the department and county social service boards to promote local initiative efforts in work incentive and employment skills training programs.

(e) Policies and procedures relating to Medicaid, food stamps, aid to families of dependent children and child welfare programs.

(2) The association may periodically advise the director, the governor, and the legislature on statutes and policies relating to state and local social services.

400.45 Creation, powers, duties, and composition of county family independence agency; powers and duties of family independence agency board; offices; salary and expenses; prohibition; appointment and oath of board members; appointment and qualifications of directors, employees, and assistants; evaluation of county director; availability of writings to public.

(1) A county family independence agency is created in each county of this state, which shall possess the powers granted and perform the duties imposed in this act. The county family independence agency shall consist of a county family independence agency board and the director of the county family independence agency, together with assistants and employees as may be necessary to operate the county family independence agency. As used in this act, references to "county department of social services" or "county department" mean the county family independence agency and references to "county social services board" and "county board" mean the county family independence agency board.

(2) The powers and duties of the county family independence agency board include all of the following:

(a) Supervision of and responsibility for the administration of the county infirmary and county medical care facility and child caring institution, except as provided in sections 55(c) and 58.

(b) Conduct, in conjunction with the family independence agency, an annual review of social service programs operating within the county.

(c) Development of policy and supervision of the administration of social service programs authorized by the county board of commissioners or financed solely from county funds or county administered funds.

(d) Development and administration of employment programs and work training projects complementary to and not in conflict with state programs.

(e) Review and submit recommendations on contracts involving programs administered by the family independence agency proposed to be entered into between the family independence agency and public or private agencies within the county including proposed purchases of service contracts from

applicant agencies within the county eligible for funding under title XX of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1397 to 1397f. A contract shall not be entered into between the family independence agency and a public or private agency within the county until the board has been provided an opportunity for review of the contract. The board shall be advised by the family independence agency within 30 days after contracts have been signed with an explanation of the differences between contracts recommended by the board and those actually entered into.

(f) Act as the agent for the county board of commissioners in the development of coordinated or consolidated approaches to the delivery of social services and cooperative service delivery arrangements between the family independence agency and each public and private social service agency within the county.

(g) Represent the county board of commissioners in all negotiations between the county and the family independence agency.

(h) Make annual policy recommendations to the Michigan county social services association on annual departmental appropriations, priorities for utilization of title XX funds, eligibility standards for general public relief and burial, employment programs, work training projects, and other related issues.

(3) The family independence agency shall provide suitable office accommodations for programs funded in whole or in part with state funds. The county family independence agency board shall review and recommend to the director proposed office sites within the county. The director shall notify the board before final site of the selection of a site other than that proposed by the board.

(4) The salary and expenses of each member of the county board shall be fixed by the county board of commissioners according to the amount of time the member devotes to the performance of official duties. A member of the county board may not serve as the director or an employee of the county family independence agency. The members of the county boards shall be appointed at the annual October session of commissioners, and members shall qualify by taking and filing the oath of office with the county clerk, and shall assume their duties as prescribed by this act not later than November 1 of the year appointed.

(5) The director, employees, and assistants of the county family independence agency shall be

(6) appointed by the family independence agency from among persons certified as qualified by the state civil service commission. The county family independence agency board shall review the qualifications of and interview each applicant for the position of county family independence agency director. The county director shall be appointed from among persons certified as eligible and recommended by the county board.

These appointment provisions do not apply under conditions of reduction of state work force in which case the administrative employment preference rules for bumping promulgated by the Michigan civil service commission apply. The county board shall advise and make recommendations to the state director regarding the performance of the county director within 6 months after the appointment of the county director and annually after that time. A copy of each evaluation shall be provided to the county director.

(6) Except as prescribed in sections 35 and 64, a writing prepared, owned, used, in the (7) possession of, or retained by the county family independence agency in the performance of an official function shall be made available to the public in compliance with the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

400.46 County social services board; administration of powers and duties; appointment and terms of members; oath; vacancies; conducting business at public meeting; notice; quorum; meetings; chairperson; effect of failure to attend meetings; compensation and expenses; availability of writings to public.

(1) The administration of the powers and duties of the county department shall be vested in a county social services board of 3 members, appointed from persons residing within the county and not holding an elective office, for 3-year terms as follows: 2 members shall be appointed by the county board of commissioners, and of 1 member by the director of social services. Members appointed before October 27, 1965, shall continue in office until the expiration their terms and until successors are appointed and qualified.

Each member shall qualify by taking and filing with the county clerk the constitutional oath of office, and shall hold office until the appointment and qualification of a successor. Vacancies in the membership of the board shall be filled for the expiration of the unexpired term, in the same manner as provided for appointment of the original members.

(2) The business which the county social services board may perform shall be conducted at a public meeting of the county social services board held in compliance with Act No. 267 of the Public Acts of 1976. Public notice of the time, date, and place shall be given in the manner required by Act No. 267 of the Public Acts of 1976. A majority of the board constitutes a quorum for the transaction of business. The board shall meet on the call of the chairperson, or on a written request to the chairperson signed by 2 members of the board,