

State of Georgia – Department of Public Health

The following provides the State with the authority to obtain records and documents necessary for the determination of consumer food purchases during investigation of foodborne illnesses within their jurisdiction. Questions regarding specific situations, the documents that can be requested, or the statutory citations listed should be directed to the authorized State agency. You may access contact information for the state agency on the Directory of State and Local Officials webpage at:

<http://dslo.afdo.org>

Per the Department of Public Health Office of General Counsel, the District Health Director has the authority to issue an administrative order compelling persons or entities to take or cease actions necessary to protect the public health.

2010 Georgia Code Title 31 – Health; Chapter 3 – County Boards of Health

§ 31-3-4 – Powers (O.C.G.A.):

§ 31-3-4(a)(3) authorizes the county board of health to “take such steps as may be necessary to prevent and suppress disease and conditions deleterious to health and to determine compliance with health laws and rules, regulations, and standards adopted thereunder.”

§ Section 31-3-5-(a) authorized the county board of health to “secure compliance with the rules and regulations of the department that have local application” and to “enforce, or cause enforcement of, all laws pertaining to health.” Those powers are delegated by law to the District Health Director, as “chief executive office” of the County Board of Health.

Federal law permits the disclosure of “...protected health information, without authorization, to public health authorities who are authorized by law to receive such reports for the purpose of preventing or controlling disease, injury, or disability and for conducting public health surveillance, investigations, or interventions. This includes federal, tribal, local or state laws (or state procedures established under such law) that provide for receiving reporting of disease, injury or conducting public health surveillance, investigation, or intervention.” [45 CFR 164.512 (a) & (b)]