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Frequently Asked Questions DHSS-No Authority

During the course of working as an environmental public health specialist, you will receive a variety of calls from community members on issues that you may not have any legal authority; law, regulation or ordinance, which would enable you to regulate. In these types of cases, you may be limited to only being able to provide some helpful advice and/or recommendations to the concerned citizen in the interest of promoting good public health in your community. In other cases, you may be able to refer the concerned citizen to another governmental agency that has regulatory oversight over the issues of concern. These agencies include the Department of Natural Resources (DNR), Department of Agriculture (MDA), Department of Economic Development (DED), another county or city governing body (building department, planning and zoning etc).

The frequently asked questions discussed in this chapter are those in which the Missouri Department of Health and Senior Services has no law, rules, or regulations granting you the authority to regulate. There may be cases, however, where you might have a local county and/or city ordinance that would allow you or another local governmental agency the authority to regulate. Familiarize yourself with local ordinances in your area so you can successfully answer frequently asked questions and appropriately implement the laws in your county.

Landlord – Tenant Issues

Concern: Tenant is complaining about conditions in their dwelling; such as the landlord is not spraying for insects, they have rodent problems, or have no water or other utilities.

Solution/Recommendation: Check to see if the county or city has laws they can enforce. If no local ordinances are available, you can provide the tenant some sound public health advice, talk with the landlord about the complaint, and/or refer the tenant to the Attorney Generals’ Office under the Landlord/Tenant Law. That telephone number is 573-751-3321.

In addition, the Attorney Generals Office publishes a consumer guide on the Landlord/Tenant Law. This guide can be accessed at <http://www.ago.mo.gov/publications/landlordtenant.pdf>.

Property Maintenance Issues

Concern: Citizen is complaining that the house next door is abandoned and ready to collapse – can the health department come out and condemn the house?

Solution/Recommendation: Check to see if the county or city has an ordinance allowing another governing body, such as, the building department to have inspection and/or condemnation authority. If no local ordinances are available, you are limited to only providing some sound public health advice.

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Concern: Citizen is complaining about neighboring properties having a buildup of cars, debris and ‘trash’ on his property.

Solution/Recommendation: Again, check to see if the county or city has laws they can enforce. If no local ordinances are available, you can provide assistance to encourage the owner to perform appropriate property maintenance. Additionally, if there are issues with rodents and insects in the area as a result of the build-up of debris, you could consider sending the property owner a letter informing them of the rodent and insect harborage conditions that are being created by the build-up of debris and direct them to clean up their property.

Dogs Running Loose

Concern: Citizen is complaining about dogs running loose throughout the neighborhood.

Solution/Recommendation: Check to see if there is a county and/or city leash law. You could also suggest that they call the Humane Society or County Sheriff’s Office in their community.

Use of Herbicides and Pesticides

Concern: Citizen is complaining about neighbor using/applying herbicides and/or pesticides.

Solution/Recommendation: The Missouri Department of Agriculture, Pesticide Program administers the Missouri Pesticide Use Act and the Missouri Pesticide Registration Act and can respond to complaints related to pesticide use. Missouri Department of Agriculture Pesticide Program can be accessed at www.mda.mo.gov/Pest/bureauintro.htm or 573-751-5504.

Improper Disposal of Dead Animals

Concern: Citizen is complaining about an individual improperly disposing of dead animals on private or public property.

Solution/Recommendation: The Missouri Department of Agriculture, Animal Health Division responds to reports of dead livestock that have not been properly disposed. The Department of Agriculture does not dispose of the animals, but will attempt to locate those responsible and see that they properly dispose of the carcasses in a timely manner as required by the Disposal of Dead Animal Law. The Division of Animal Health only investigates animals raised for commercial purposes. The Division of Animal Health can be accessed at <http://www.mda.mo.gov/Animals/deadanimal.htm> or (573) 751-5608.

The Division of Animal Health does not respond to reports of dead animals under the Wildlife Code, such as deer or coyotes, or pets, whether confined or stray. If it is a dead wild animal the caller can be referred to their local Missouri Department of Conservation agent.

Dog Kennels

Concern: Citizen is complaining about the neighbor’s dog kennels.

Solution/Recommendation: The Missouri Department of Agriculture, Animal Health Division licenses animal care facilities, performs inspections and responds to complaints related to animal

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care facilities. The Department of Agriculture, Animal Health Division can be accessed at <http://www.mda.mo.gov/Animals/acfaabout.htm> or 573-751-3377.

The Sell of Farm Fresh Eggs

Concern: I want to sell farm fresh eggs. How do I obtain an egg license?

Solution/Recommendation: The Missouri Department of Agriculture, Weights and Measures Division, licenses egg producers, dealers, and retailers and also inspects eggs sold in Missouri for quality. Anyone who buys eggs from producers or other dealers or sells eggs must be licensed and renew that license annually. The Missouri Department of Agriculture, Weights and Measures Division can be accessed at <http://www.mda.mo.gov/Animals/egglic.htm> or (573) 751-5639.

Processing Meat and/or Making Beef Jerky

Concern: I want to process meat and/or make beef jerky in Missouri. What are the requirements?

Solution/Recommendation: The Missouri Department of Agriculture, Meat and Poultry Inspection Program has jurisdiction over Missouri meat processors. Owners or operators who want to process meat and poultry products including making beef jerky, within the state (intrastate) should contact the Missouri Meat and Poultry Inspection Program at <http://www.mda.mo.gov/Animals/mmpip.htm> or (573) 522-1242.

Individuals who want to ship meat and meat products across state lines (interstate) should contact the USDA Food Safety Inspection Service in Lawrence, Kansas at (785) 841-5600.

Processing and Selling Cheese and Milk

Concern: I want to process and sell cheese and milk in Missouri. What are the requirements?

Solution/Recommendations: The Missouri Department of Agriculture, State Milk Board has regulatory oversight of the manufacturing and grading of dairy products, enforces sanitation and quality standards for manufactured dairy products and provides market testing of all milk at the first point of sale. The State Milk Board licenses milk procurers, manufacturing plants, field superintendents, testers, grades, samplers, bulk milk truck operators and market-testing laboratories. The Missouri Department of Agriculture, State Milk Board can be accessed at <http://www.mda.mo.gov/WhoWeAre/smb.htm> or (573) 751-3830.

Tattoo/Body Piercing/Branding Parlors

Concern: I want to open a tattoo/body piercing/branding parlor. What are the requirements?

Solution/Recommendations: Check to see if you have a local ordinance requiring the inspection and licensing of tattoo/body piercing/branding parlors. If so, follow the requirements of your ordinance.

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In addition, the Missouri Department of Economic Development, Division of Professional Registration requires licensing of tattoo/body piercing/branding parlors and performs a pre-opening inspection of the facility as well as random inspections throughout the year.

If you receive a complaint about a tattoo/body piercing/branding parlor contact the Division of Professional Registration Tattoo/Body Piercing/Branding Program at <http://www.pr.mo.gov/tattooing-faqs.asp> or (573) 526-8288.

Massage Parlor

Concern: I want to open a massage parlor. What are the requirements?

Solution/Recommendations: Check to see if you have a local ordinance requiring the inspection and licensing of massage parlors. If so, follow the requirements of the ordinance.

In addition, the Missouri Department of Economic Development, Division of Professional Registration requires licensing of massage parlors and performs a pre-opening inspection of the facility as well as random inspections throughout the year.

If you receive a complaint about a massage parlor contact the Division of Professional Registration Massage Therapy Program at <http://www.pr.mo.gov/massage.asp> or (573) 522-6277.

Handicap Accessibility

Concern: I want to open a business? Do I need to make the restrooms handicap accessible?

Solution/Recommendations: Check to see if you have a local ordinance requiring building permits, construction permits etc. and refer the individual to the appropriate county/city agency. Otherwise, the Missouri Governor's Council on Disability may be able to assist the caller. The Missouri Governor's Council on Disability can be accessed at <http://www.gcd.ia.mo.gov/index.shtml> or (573) 751-2600.

Nursing Homes

Concern: Citizen is complaining about the nursing home that their mother is staying in.

Solution/Recommendation: The Department of Health and Senior Services has a Section for Long Term Care Regulation that inspects, regulates and licenses long-term care facilities like nursing homes. The Section for Long Term Care Regulation can be accessed at <http://www.dhss.mo.gov/NursingHomes/> or 1-800-392-0210.

The phone number to report a complaint is the elder abuse hotline at 1-800-392-0210. This number is operational 24 hours per day, 365 days per year.

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The Missouri Department of Natural Resources (DNR) has a wide range of environmental programs with which they have regulatory oversight. Occasionally, you will receive calls related to environmental issues that are regulated by DNR.

DNR publishes a useful resource that will be helpful in learning about their programs. The resource directory is titled “DNR At Your Service Phone Directory of Services.” The directory is organized alphabetically by topic, and provides contact information for many DNR programs. A copy of this booklet can be accessed at <http://www.dnr.mo.gov/pubs/pub99.pdf>. In the center of this booklet, is a map of the DNR regional offices including contact information. A copy of the DNR regional map can also be accessed at <http://www.dnr.mo.gov/regions/regions.htm>.

Air Pollution Control Program

The Missouri Department of Natural Resources Air Pollution Control Program answers questions regarding air quality standards, open burning, emissions, asbestos removal and other air pollution control issues. The Air Pollution Control Program can be accessed at <http://www.dnr.mo.gov/env/apcp/index.html> or (573) 751-4817 and (800) 361-4827.

Hazardous Waste Program

The Missouri Department of Natural Resources Hazardous Waste Program administers regulations involving the treatment, storage, disposal and transportation of wastes that are classified as hazardous. The program answers questions regarding the management of hazardous waste, cleanup of contamination, removal and cleanup of petroleum storage tanks in the state, illegal disposal of hazardous waste and other hazardous waste issues. The Hazardous Waste Program can be accessed at <http://www.dnr.mo.gov/env/hwp/index.html> or (573) 751-3176 and (800) 361-4827.

Solid Waste Management Program

The Missouri Department of Natural Resources Solid Waste Management Program publishes and administers laws and regulations concerning the management of solid wastes, including disposal and alternatives to disposal. The program answers questions regarding illegal dumping of trash, waste tire disposal, landfills, recycling and other solid waste issues. The Solid Waste Management Program can be accessed at <http://www.dnr.mo.gov/env/swmp/index.html> or (573) 751-5401 and (800) 361-4827.

Water Protection Program

The Missouri Department of Natural Resources Water Protection Program includes the public drinking water branch and water pollution control branch. The Water Protection Program can be accessed at <http://www.dnr.mo.gov/env/wpp/index.html> or (573) 751-1300 and (800) 361-4827.

The Public Drinking Water Branch administers regulations that help ensure public sources of drinking water are safe. The program answers questions regarding public drinking water supplies, boil water orders, drinking water standards for community and non-community supplies, well head protection including, construction of private water wells (this includes domestic and multiple family class wells), irrigation wells, monitoring wells and heat pump

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wells and how to properly plug all types of wells including cisterns, drilled wells etc. and other public drinking water issues.

The Water Pollution Control Branch administers regulations to help ensure water quality throughout the state. The program answers questions regarding animal waste disposal, land application of waste (septic tank haulers), public wastewater disposal system, state operating and construction permits for wastewater systems (NPDES), non-discharging lagoons serving commercial facilities like restaurants, convenience stores, and other commercial facilities and other water quality issues.

As an environmental public health specialist, you will receive a variety of calls from community members on many issues – some of which you may have authority to regulate, others which should be referred to another agency that has regulatory oversight and others for which no agency has any legal authority, law or regulation to address the community concern. If you receive a call and are not sure of the answer contact your regional environmental public health specialist V for assistance.