



§5. General powers and jurisdiction

A. The state health officer and the office of public health of the Louisiana Department of Health shall have exclusive jurisdiction, control, and authority:

- (1) To isolate or quarantine for the care and control of communicable disease within the state.
- (2) To take such action as is necessary to accomplish the subsidence and suppression of diseases of all kinds in order to prevent their spread.
- (3) To enforce a sanitary code for the entire state containing provisions for the improvement and amelioration of the hygienic and sanitary conditions of the state.
- (4) To enact provisions regulating the standards of health and decency and building regulations of all prisons, jails, lock-ups, and camps where prisoners are detained or confined.
- (5) To supervise, inspect, and issue sanitation permits for water supplies, slaughterhouses, cold storage plants, all places of public accommodation, and the handling and control of hygienic conditions with respect to all food.
- (6) To take such action as may be authorized by the administrator of the Environmental Protection Agency under the federal Safe Drinking Water Act of 1974, as amended.
- (7) To make all sanitary inspections and provide for the issuance of health permits.
- (8) Over the enforcement of controls and issuance of permits for the distribution and handling of dangerous drugs.
- (9) Over the treatment and disposal of municipal or domestic sewage.
- (10) Over the reporting of communicable diseases.
- (11) Over the gathering, keeping, reporting, and tabulating of vital and mortuary records and statistics for all parishes of the state.
- (12) Over the providing of facilities for vaccination.
- (13) To assist in the supervision and operation of parish and municipal health units and departments.
- (14) Over the regulation of the carriage and transportation of persons, freight, and dead bodies brought into the state or transported through or in the state as they may affect public health.
- (15) Over the sanitary inspection of meat, milk, and other products which may affect public health and safety.
- (16) Over the sanitary conditions required at any public gathering or meeting.
- (17) Over the adoption of rules and regulations regarding public health, sanitary, and hygienic subjects, including those for standards governing noxious odors.
- (18) To promulgate rules and regulations in accordance with the Administrative Procedure Act to establish a fee schedule, based on ability to pay or eligibility for third party reimbursement, for services provided by the Children's Special Health Services program and maternal and child health programs in the office of public health.
- (19) To conduct health inspections and issue health permits through state-employed licensed sanitarians, or by licensed sanitarians of parish health units or departments.
- (20) Over those functions of the state provided by law relating to environmental quality and pollution control which are related to the public health and which are specifically assigned to the department by statute.
- (21)(a) To conduct health, safety, and sanitation inspections, through state-employed licensed sanitarians, of any place upon receipt of a complaint that the department determines shows appropriate and sufficient grounds to indicate a health hazard or sanitary code violation may exist, regardless of whether such place is licensed or not, or otherwise regulated.
- (b) In order to comply with the provisions of Subparagraph (a) of this Paragraph, a licensed sanitarian may, if necessary, seek and obtain an appropriate order or warrant from the state district court for the judicial district in which the place to be inspected is located to enter, examine, and inspect such place for a health hazard or sanitary code violation.

B. Nothing in this Section shall grant or be interpreted as to grant the state health officer or the office of public health of the Louisiana Department of Health the authority to supercede the authority of municipalities or parishes to enforce the State Uniform Construction Code provided for in Part IV-A of Chapter 8 of this Title. The building official for the parish, municipality, or regional planning commission, as authorized in R.S. 40:1730.24 and appointed pursuant to R.S. 40:1730.25, or a qualified building code enforcement officer designated by the building official, shall have the authority to enforce the plumbing provisions adopted pursuant to Part IV-A of Chapter 8 of this Title.

Acts 1976, No. 346, §1. Amended by Acts 1978, No. 786, §5, eff. July 17, 1978; Acts 1979, No. 449, §4, eff. Jan. 1, 1980; Acts 1989, No. 713, §1; Acts 1990, No. 574, §1; Acts 1993, No. 180, §1, eff. May 31,

1993; Acts 1999, No. 993, §1, eff. July 9, 1999; Acts 2014, No. 811, §22, eff. June 23, 2014; Acts 2014, No. 836, §3, eff. Jan. 1, 2016; Acts 2022, No. 271, §4.

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