

1 STATE AND LOCAL HEALTH AUTHORITIES

2 AMENDMENTS

3 2009 GENERAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Dennis E. Stowell

6 House Sponsor: _____

7
8 LONG TITLE

9 Committee Note:

10 The Political Subdivisions Interim Committee recommended this bill.

11 General Description:

12 This bill modifies provisions dealing with Department of Health and local health
13 department responsibilities.

14 Highlighted Provisions:

15 This bill:

16 ▶ modifies responsibilities of the Department of Health and local health departments
17 with respect to their interrelationship;

18 ▶ requires the Department of Health to establish a committee consisting of
19 Department of Health and local health department representatives;

20 ▶ provides for the responsibilities of the committee;

21 ▶ requires the Health Advisory Council to make a binding decision on the goals and
22 budget of federal grants if the committee is unable to achieve unanimity on the
23 goals and budget; ~~§~~→ [and]

23a ▶ allows the Department of Health to use federal grant money to pay certain
23b administrative costs; and ←~~§~~

24 ▶ makes technical changes.

25 Monies Appropriated in this Bill:

26 None

27 Other Special Clauses:



28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **26-1-4**, as last amended by Laws of Utah 1991, Chapters 112 and 269



33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **26-1-4** is amended to read:

35 **26-1-4. Department of Health created -- Policymaking responsibilities --**
36 **Cooperation with local health departments.**

37 (1) There is created the Department of Health, which has all of the policymaking
38 functions, regulatory and enforcement powers, rights, duties, and responsibilities of the
39 Division of Health, the Board of Health, the State Health Planning Development Agency, and
40 the Office of Health Care Financing. Unless otherwise specifically provided, when reference is
41 made in any statute of this state to the Board of Health, the Division of Health, the State Health
42 Planning Development Agency, or the Office of Health Care Financing, it refers to the
43 department. The department shall assume all of the policymaking functions, powers, rights,
44 duties, and responsibilities over the division, agency, and office previously vested in the
45 Department of Human Services and its executive director.

46 (2) ~~[(a)]~~ In establishing public health policy ~~[which directly affects local health~~
47 ~~departments, as defined in Title 26A, Chapter 1, Part 1],~~ the department shall ~~[cooperate]~~
48 consult with the local health departments established under Title 26A, Chapter 1, Local Health
49 Departments.

50 ~~[(b) The department shall establish by rule procedures for developing its policies;~~
51 ~~which ensure that local health departments are given opportunity to comment and provide input~~
52 ~~on any new policy of the department and on any proposed changes in existing policies which~~
53 ~~affect local health departments.]~~

54 ~~[(c) The department shall also provide a mechanism for review of its existing policies~~
55 ~~which affect local health departments, and for consideration of policy changes proposed by~~
56 ~~local health departments.]~~

57 (3) (a) The department shall establish a committee consisting of:

58 (i) the executive director;

59 (ii) two representatives of the department appointed by the executive director; and
 60 (iii) three representatives of local health departments appointed by all local health
 61 departments.

62 (b) The committee established under Subsection (3)(a) shall:

63 (i) evaluate:

64 (A) the allocation of public health resources between the department and local health
 65 departments; and

66 (B) policies that affect local health departments;

67 (ii) consider policy changes proposed by the department or local health departments;

68 (iii) review the goals and budget for each application for a grant from the federal
 69 government before the grant application is submitted ~~§~~ , if the grant could provide funds for
 69a local health departments to help them fulfill their duties and responsibilities ~~§~~ ; and

70 (iv) report annually to the health advisory council created in Section 26-1-7.5 regarding
 71 implementation of this Subsection (3).

72 (c) If the committee established under Subsection (3)(a) cannot unanimously agree on
 73 the goals and budget for a grant from the federal government before funds are encumbered or
 74 dispersed, the health advisory council shall:

75 (i) consider the goals and budget at its next meeting following notification that the
 76 committee cannot unanimously agree on the goals and budget; and

77 (ii) make a binding decision on the goals and budget for the grant.

77a ~~§~~ **(d) The department may use money from grants from the federal government referred to**
 77b **in this Subsection (3) to pay the administrative costs incurred in implementing this Subsection**
 77c **(3).** ~~§~~

Legislative Review Note
 as of 11-20-08 10:02 AM

Office of Legislative Research and General Counsel

S.B. 21 - State and Local Health Authorities Amendments

Fiscal Note

2009 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

The decisions of the coordinating committee could result in increased or decreased federal funds for local health departments. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses.
