

**GOVERNOR'S INTERAGENCY COORDINATING
COUNCIL ON HEALTH DISPARITIES AND
ECONOMIC SELF-SUFFICIENCY**

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Robles

House Sponsor: _____

LONG TITLE

General Description:

This bill creates the Governor's Interagency Coordinating Council on Health Disparities and Economic Self-sufficiency.

Highlighted Provisions:

This bill:

- ▶ creates the Governor's Interagency Coordinating Council on Health Disparities and Economic Self-sufficiency;
- ▶ specifies duties of the council;
- ▶ requires state agencies to provide assistance to the council, within available appropriations; and
- ▶ sunsets the council July 1, 2017.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-1-263, as last amended by Laws of Utah 2008, Chapters 148, 334, 339 and



28 renumbered and amended by Laws of Utah 2008, Chapter 382

29 ENACTS:

30 **63M-12-101**, Utah Code Annotated 1953

31 **63M-12-102**, Utah Code Annotated 1953

32 **63M-12-103**, Utah Code Annotated 1953

33 **63M-12-104**, Utah Code Annotated 1953

34 **63M-12-105**, Utah Code Annotated 1953

35

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

37 Section 1. Section **63I-1-263** is amended to read:

38 **63I-1-263. Repeal dates, Titles 63 to 63M.**

39 (1) Title 63M, Chapter 7, Part 4, Sentencing Commission, is repealed January 1, 2012.

40 (2) The Crime Victim Reparations Board, created in Section 63M-7-504, is repealed
41 July 1, 2017.

42 (3) The Resource Development Coordinating Committee, created in Section
43 63J-4-501, is repealed July 1, 2015.

44 (4) Title 63M, Chapter 1, Part 4, Enterprise Zone Act, is repealed July 1, 2018.

45 (5) (a) Title 63M, Chapter 1, Part 11, Recycling Market Development Zone Act, is
46 repealed July 1, 2010.

47 (b) Sections 59-7-610 and 59-10-1007 regarding tax credits for certain persons in
48 recycling market development zones, are repealed for taxable years beginning on or after
49 January 1, 2011.

50 (c) Notwithstanding Subsection (5)(b), a person may not claim a tax credit under
51 Section 59-7-610 or 59-10-1007:

52 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
53 59-10-1007, if the machinery or equipment is purchased on or after July 1, 2010; or

54 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if
55 the expenditure is made on or after July 1, 2010.

56 (d) Notwithstanding Subsections (5)(b) and (c), a person may carry forward a tax credit
57 in accordance with Section 59-7-610 or 59-10-1007 if:

58 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

59 (ii) (A) for the purchase price of machinery or equipment described in Section
60 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before June 30, 2010;
61 or

62 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the
63 expenditure is made on or before June 30, 2010.

64 (6) Title 63M, Chapter 8, Utah Commission for Women and Families, is repealed July
65 1, 2011.

66 (7) Title 63M, Chapter 9, Families, Agencies, and Communities Together for Children
67 and Youth At Risk Act, is repealed July 1, 2016.

68 (8) Title 63, Chapter 88, Navajo Trust Fund, is repealed July 1, 2008.

69 (9) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2009.

70 (10) Section 63A-4-204, authorizing the Risk Management Fund to provide coverage
71 to any public school district which chooses to participate, is repealed July 1, 2016.

72 (11) Section 63A-5-603, State Facility Energy Efficiency Fund, is repealed July 1,
73 2016.

74 (12) Section 63C-8-106, Rural residency training program, is repealed July 1, 2015.

75 (13) Title 63M, Chapter 12, Governor's Interagency Coordinating Council on Health
76 Disparities and Economic Self-sufficiency, is repealed July 1, 2017.

77 Section 2. Section **63M-12-101** is enacted to read:

78 **CHAPTER 12. GOVERNOR'S INTERAGENCY COORDINATING COUNCIL**
79 **ON HEALTH DISPARITIES AND ECONOMIC SELF-SUFFICIENCY**
80 **63M-12-101. Title.**

81 This chapter is known as the "Governor's Interagency Coordinating Council on Health
82 Disparities and Economic Self-sufficiency."

83 Section 3. Section **63M-12-102** is enacted to read:

84 **63M-12-102. Creation -- Membership -- Terms -- Compensation --**
85 **Administrative staff.**

86 (1) There is created the Governor's Interagency Coordinating Council on Health
87 Disparities and Economic Self-sufficiency consisting of the following 18 members appointed
88 by the governor:

89 (a) six members, each representing no more than one of the following:

- 90 (i) the Department of Workforce Services;
- 91 (ii) the Department of Health;
- 92 (iii) the Department of Community and Culture;
- 93 (iv) the Department of Human Services;
- 94 (v) the Department of Agriculture; and
- 95 (vi) the State Office of Education;
- 96 (b) four members, each representing no more than one of the following councils within
- 97 the Department of Community and Culture's Office of Ethnic Affairs:
- 98 (i) the Asian Advisory Council;
- 99 (ii) the Black Advisory Council;
- 100 (iii) the Hispanic/Latino Advisory Council; and
- 101 (iv) the Pacific Islander Advisory Council;
- 102 (c) three members, each representing no more than one religious group within the state;
- 103 (d) three members, each:
- 104 (i) representing the interests of health care consumers;
- 105 (ii) not acting as a health care industry fiduciary;
- 106 (iii) not having a direct material financial interest in the delivery of health care
- 107 services; and
- 108 (iv) not serving as an elected government official;
- 109 (e) one member who is an early childhood advocate; and
- 110 (f) one member with a family income less than 200% of the federal poverty level.
- 111 (2) To the extent practicable, the governor shall appoint members who reflect the
- 112 demographic diversity of the state.
- 113 (3) (a) Except as required by Subsection (3)(b), members shall be appointed for
- 114 four-year terms.
- 115 (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the
- 116 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
- 117 council members are staggered so that approximately half of the council is appointed every two
- 118 years.
- 119 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
- 120 appointed for the unexpired term in the same manner as the vacated member was chosen.

121 (4) (a) (i) A member who is not a government employee may not receive compensation
122 or benefits for the member's service, but may receive per diem and expenses incurred in the
123 performance of the member's official duties at the rates established by the Division of Finance
124 under Sections 63A-3-106 and 63A-3-107.

125 (ii) A state government officer and employee member who does not receive salary, per
126 diem, or expenses from the agency the member represents for the member's service may
127 receive per diem and expenses incurred in the performance of the member's official duties at
128 the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

129 (b) A member may decline to receive per diem and expenses for the member's service.

130 (5) The governor, or the governor's designee, shall chair the council.

131 (6) (a) A majority of the council constitutes a quorum.

132 (b) The action of a majority of a quorum is the action of the council.

133 (7) (a) The council may create technical advisory committees to help it carry out its
134 duties.

135 (b) Each technical advisory committee shall be of limited scope and duration pursuant
136 to a written charge adopted by the council.

137 (c) Members of technical advisory committees may not receive compensation or
138 benefits for their service on the committees.

139 (d) To the extent practicable, the council shall appoint members to its technical
140 advisory committees who reflect the demographic diversity of the state.

141 (8) The council shall meet at least four times each year.

142 (9) Within appropriations by the Legislature, the Department of Workforce Services
143 shall provide administrative staff and services to the council and its technical advisory
144 committees.

145 Section 4. Section **63M-12-103** is enacted to read:

146 **63M-12-103. Duties.**

147 (1) Except as limited under Subsection (2), the Governor's Interagency Coordinating
148 Council on Health Disparities and Economic Self-sufficiency shall:

149 (a) develop a strategic plan to address disparities in the following areas:

150 (i) early childhood education;

151 (ii) high school graduation, college graduation, and other levels of educational

152 attainment;
153 (iii) economic stability and self-sufficiency;
154 (iv) dietary practices that meet federal nutrition guidelines;
155 (v) ability to purchase or otherwise obtain affordable health insurance coverage;
156 (vi) ability to make timely and appropriate use of health care services;
157 (vii) adequate safety and other neighborhood characteristics that affect a person's desire
158 and ability to participate in healthy lifestyle behaviors, including walking and recreation;
159 (viii) cancer screenings, regular dental check-ups, good nutrition practices, childhood
160 immunizations, and other preventive health practices, particularly among children, senior
161 citizens, and rural residents; and
162 (ix) incidence of morbidity and mortality attributable to various diseases and
163 conditions, including:
164 (A) diabetes;
165 (B) obesity;
166 (C) asthma;
167 (D) sexually transmitted diseases;
168 (E) heart disease;
169 (F) stroke;
170 (G) cancer;
171 (H) kidney disease;
172 (I) mental illness;
173 (J) tobacco use;
174 (K) oral health problems;
175 (L) violence, including domestic violence; and
176 (M) any other factor correlated to individual health status identified by the council;
177 (b) address first those indicators under Subsection (1)(a) that have the greatest rates of
178 disparity;
179 (c) include in the strategic plan steps that can be taken by state and local governments
180 and by nongovernment entities to eliminate the disparity in rates at which each of the factors
181 correlated to individual health status occur;
182 (d) (i) before January 1, 2011, finish development of the strategic plan; and

- 183 (ii) after January 1, 2011, update the strategic plan at least once every two years;
184 (e) recommend to state and local governments and nongovernment entities policies that
185 increase the financial stability and economic independence of Utah households, particularly
186 households with lower incomes or that include racial or ethnic minorities or persons with
187 limited English proficiency;
188 (f) conduct health and self-sufficiency impact reviews required under Section
189 63M-12-104;
190 (g) on or before November 22 of each year, submit a written report to the governor and
191 the Legislature on:
192 (i) (A) before January 1, 2011, development of the strategic plan; and
193 (B) after January 1, 2011, updates to the strategic plan;
194 (ii) health and self-sufficiency impact reviews completed since the last report; and
195 (iii) other activities of the council; and
196 (h) seek state, federal, and private funding to carry out its duties.
197 (2) The Governor's Interagency Coordinating Council on Health Disparities and
198 Economic Self-sufficiency shall carry out its duties under Subsection (1) within appropriations
199 by the Legislature to the council and its members for those purposes.
200 Section 5. Section **63M-12-104** is enacted to read:
201 **63M-12-104. Health and self-sufficiency impact reviews.**
202 (1) At the request of the governor, a committee of the Legislature, or a legislator, the
203 Governor's Interagency Coordinating Council on Health Disparities and Economic
204 Self-sufficiency shall prepare a health and self-sufficiency impact review on a proposed change
205 to either the state budget or a state statute.
206 (2) Each review shall report the expected impact of the proposed change on:
207 (a) the health status of Utahns due to expected changes in the factors under Subsection
208 63M-12-103(1)(a); and
209 (b) the financial stability and economic independence of Utah households, particularly
210 households with lower incomes or that include racial or ethnic minorities or persons with
211 limited proficiency in English.
212 (3) The review shall be completed no later than 60 days following the request.
213 (4) Upon completion, reviews shall be made available electronically on the state's

214 Internet site.

215 Section 6. Section **63M-12-105** is enacted to read:

216 **63M-12-105. Assistance of other government entities.**

217 (1) Within available appropriations, departments and other agencies of state
218 government shall assist the Governor's Interagency Coordinating Council on Health Disparities
219 and Economic Self-sufficiency when requested by the council to do so.

220 (2) If an agency lacks funding to assist the council in the preparation of a health and
221 self-sufficiency impact review under Section 63M-12-203, it shall notify the council of that fact
222 in writing, within 14 days of the initial request.

Legislative Review Note
as of 1-28-09 12:03 PM

Office of Legislative Research and General Counsel

Fiscal Note**S.B. 55 - Governor's Interagency Coordinating Council on Health Disparities
and Economic Self-sufficiency**

2009 General Session

State of Utah

State Impact

Enactment of this bill will require the Department of Workforce Services to spend \$2,300 per year in General Funds beginning FY 2010. The Department believes it can handle this expenditure within existing resources.

	<u>2009</u> <u>Approp.</u>	<u>2010</u> <u>Approp.</u>	<u>2011</u> <u>Approp.</u>	<u>2009</u> <u>Revenue</u>	<u>2010</u> <u>Revenue</u>	<u>2011</u> <u>Revenue</u>
General Fund	\$0	\$2,300	\$2,300	\$0	\$0	\$0
Total	\$0	\$2,300	\$2,300	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.