



# Utah State Legislature

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**Senate** • Utah State Capitol Complex • 320 State Capitol  
PO Box 145115 • Salt Lake City, Utah 84114-5115  
(801) 538-1035 • fax (801) 538-1414

**House of Representatives** • Utah State Capitol Complex • 350 State Capitol  
PO Box 145030 • Salt Lake City, Utah 84114-5030  
(801) 538-1029 • fax (801) 538-1908

10 March 2020

Dr. Joseph Miner  
Executive Director, Department of Health  
288 North 1460 West  
Salt Lake City, UT 84116

Dear Dr. Miner,

As part of our work in the 2020 interim, please answer the questions below in consultation with the Department of Environmental Quality and report to the Office of the Legislative Fiscal Analyst by July 1, 2020:

1. The Department of Environmental Quality and the Department of Health have the ability to partner together to find common solutions within finite budgets. What are the risks and benefits of changing the structure of this partnership?
  - a. Is the Department of Environmental Quality required to do its water testing through the Department of Health?
2. What would need to change to allow the Department of Environmental Quality to order the testing that it needs to have done go through private labs?
3. What are the pros and cons of maintaining state capacity for lab testing vs. using private labs?
  - a. What would be/are the pros and cons for the Department of Environmental Quality?
  - b. What would be/are the pros and cons for the testing lab at the Department of Health?
  - c. What would be/are the pros and cons with regard to taxpayer cost?
  - d. At least 95% of states maintain capacity for some level of this testing in a state government lab. What is their rationale? (sample of states)
4. How much of the testing and what kinds that are needed by the Department of Environmental Quality does the Department of Health lab do? What capacity does the Department of Health lab have that is not being utilized by the Department of Environmental Quality?

For tests ordered by the Department of Environmental Quality, what fraction of testing is performed by the Department of Health and what portion is performed by the private industry, in terms of:

- a. Number of tests
- b. Type(s) of tests
- c. Total Expenses

d. Overall customer experience

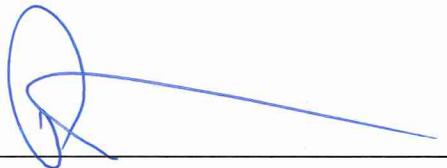
5. What certifications does the state lab have and how does that compare to the certifications available at the private labs that we have in our community (or nationally)?
6. One of the reasons given for the necessity for continuing the lab in the Department of Health was to have the lab available in case of an emergency situation where no responsible party is at fault. In what kind of an emergency situation might this be the case?
  - a. An evaluation of whether the private market has an adequate supply of private labs that could provide this service. What testing can be done in-state vs. out-of-state? If some testing can only be done with an out-of-state lab, what are the risks of relying on out-of-state labs? Maintaining capacity at the Department of Health lab reduces dependence on out-of-state labs. What are the benefits of this?
7. An analysis of the costs that the Department of Environmental Quality currently pays for routine monitoring done by the Department of Health lab vs. the costs they would incur for those tests through a private lab. Include the full costs of using private labs, including packaging and shipping. How would changes in yearly routine monitoring cycles affect those costs?

Thank you for your service to the citizens of our great State.

Sincerely,



Sen. Allen M. Christensen, Co-Chair  
Social Services Appropriations Subcommittee



Rep. Paul Ray, Co-Chair  
Social Services Appropriations Subcommittee



Rep. Raymond P. Ward, Vice Chair  
Social Services Appropriations Subcommittee

Cc: Scott Baird, executive director, Department of Environmental Quality