

Part 1

Department Responsibilities

26-9-1 Assistance to rural communities by department.

The department shall assist rural communities in dealing with primary health care needs relating to recruiting health professionals, planning, and technical assistance. The department shall assist the communities, at their request, at any stage of development of new or expanded primary health care services and shall work with them to improve primary health care by providing information to increase the effectiveness of their systems, to decrease duplication and fragmentation of services, and to maximize community use of private gifts, and local, state, and federal grants and contracts.

Enacted by Chapter 126, 1981 General Session

26-9-2 Responsibility of department for coordinating rural health programs.

The department shall be the lead agency responsible for coordinating rural health programs and shall insure that resources available for rural health are efficiently and effectively used.

Enacted by Chapter 126, 1981 General Session

26-9-3 Rural health development initiatives.

- (1)
 - (a) The University of Utah Health Science Center shall use any appropriations it receives for developing area health education centers to establish and maintain an area health education center program in accordance with this section.
 - (b) Implementation and execution of the area health education center program is contingent upon appropriations from the Legislature.
- (2)
 - (a) The area health education center program shall consist of a central program office at the University of Utah Health Science Center. The program office shall establish and operate a statewide, decentralized, regional program with emphasis on addressing rural health professions workforce education and training needs.
 - (b) The area health education center program shall have five regional centers serving the following geographic areas:
 - (i) the northern center serving Box Elder, Cache, Rich, Weber, and Morgan counties;
 - (ii) the crossroads center serving Salt Lake, Wasatch, Summit, Tooele, Utah, and Davis counties;
 - (iii) the central center serving Juab, Millard, Piute, Sanpete, Sevier, and Wayne counties;
 - (iv) the eastern center serving Carbon, Daggett, Duchesne, Emery, Grand, San Juan, and Uintah counties; and
 - (v) the southwest center serving Beaver, Garfield, Iron, Kane, and Washington counties.
- (3) The area health education center program shall attempt to acquire funding from state, local, federal, and private sources.
- (4) Each area health education center shall provide community-based health professions education programming for the geographic area described in Subsection (2)(b) of this section.

Amended by Chapter 95, 2001 General Session

26-9-4 Rural Health Care Facilities Account -- Source of revenues -- Interest -- Distribution of revenues -- Expenditure of revenues -- Unexpended revenues lapse into the General Fund.

- (1) As used in this section:
 - (a) "Emergency medical services" is as defined in Section 26-8a-102.
 - (b) "Federally qualified health center" is as defined in 42 U.S.C. Sec. 1395x.
 - (c) "Fiscal year" means a one-year period beginning on July 1 of each year.
 - (d) "Freestanding urgent care center" is as defined in Section 59-12-801.
 - (e) "Nursing care facility" is as defined in Section 26-21-2.
 - (f) "Rural city hospital" is as defined in Section 59-12-801.
 - (g) "Rural county health care facility" is as defined in Section 59-12-801.
 - (h) "Rural county hospital" is as defined in Section 59-12-801.
 - (i) "Rural county nursing care facility" is as defined in Section 59-12-801.
 - (j) "Rural emergency medical services" is as defined in Section 59-12-801.
 - (k) "Rural health clinic" is as defined in 42 U.S.C. Sec. 1395x.
- (2) There is created a restricted account within the General Fund known as the "Rural Health Care Facilities Account."
- (3)
 - (a) The restricted account shall be funded by amounts appropriated by the Legislature.
 - (b) Any interest earned on the restricted account shall be deposited into the General Fund.
- (4) Subject to Subsections (5) and (6), the State Tax Commission shall for a fiscal year distribute money deposited into the restricted account to each:
 - (a) county legislative body of a county that, on January 1, 2007, imposes a tax in accordance with Section 59-12-802; or
 - (b) city legislative body of a city that, on January 1, 2007, imposes a tax in accordance with Section 59-12-804.
- (5)
 - (a) Subject to Subsection (6), for purposes of the distribution required by Subsection (4), the State Tax Commission shall:
 - (i) estimate for each county and city described in Subsection (4) the amount by which the revenues collected from the taxes imposed under Sections 59-12-802 and 59-12-804 for fiscal year 2005-06 would have been reduced had:
 - (A) the amendments made by Laws of Utah 2007, Chapter 288, Sections 25 and 26, to Sections 59-12-802 and 59-12-804 been in effect for fiscal year 2005-06; and
 - (B) each county and city described in Subsection (4) imposed the tax under Sections 59-12-802 and 59-12-804 for the entire fiscal year 2005-06;
 - (ii) calculate a percentage for each county and city described in Subsection (4) by dividing the amount estimated for each county and city in accordance with Subsection (5)(a)(i) by \$555,000; and
 - (iii) distribute to each county and city described in Subsection (4) an amount equal to the product of:
 - (A) the percentage calculated in accordance with Subsection (5)(a)(ii); and
 - (B) the amount appropriated by the Legislature to the restricted account for the fiscal year.
 - (b) The State Tax Commission shall make the estimations, calculations, and distributions required by Subsection (5)(a) on the basis of data collected by the State Tax Commission.
- (6) If a county legislative body repeals a tax imposed under Section 59-12-802 or a city legislative body repeals a tax imposed under Section 59-12-804:
 - (a) the commission shall determine in accordance with Subsection (5) the distribution that, but for this Subsection (6), the county legislative body or city legislative body would receive; and

- (b) after making the determination required by Subsection (6)(a), the commission shall:
 - (i) if the effective date of the repeal of a tax imposed under Section 59-12-802 or 59-12-804 is October 1:
 - (A)
 - (I) distribute to the county legislative body or city legislative body 25% of the distribution determined in accordance with Subsection (6)(a); and
 - (II) deposit 75% of the distribution determined in accordance with Subsection (6)(a) into the General Fund; and
 - (B) beginning with the first fiscal year after the effective date of the repeal and for each subsequent fiscal year, deposit the entire amount of the distribution determined in accordance with Subsection (6)(a) into the General Fund;
 - (ii) if the effective date of the repeal of a tax imposed under Section 59-12-802 or 59-12-804 is January 1:
 - (A)
 - (I) distribute to the county legislative body or city legislative body 50% of the distribution determined in accordance with Subsection (6)(a); and
 - (II) deposit 50% of the distribution determined in accordance with Subsection (6)(a) into the General Fund; and
 - (B) beginning with the first fiscal year after the effective date of the repeal and for each subsequent fiscal year, deposit the entire amount of the distribution determined in accordance with Subsection (6)(a) into the General Fund;
 - (iii) if the effective date of the repeal of a tax imposed under Section 59-12-802 or 59-12-804 is April 1:
 - (A)
 - (I) distribute to the county legislative body or city legislative body 75% of the distribution determined in accordance with Subsection (6)(a); and
 - (II) deposit 25% of the distribution determined in accordance with Subsection (6)(a) into the General Fund; and
 - (B) beginning with the first fiscal year after the effective date of the repeal and for each subsequent fiscal year, deposit the entire amount of the distribution determined in accordance with Subsection (6)(a) into the General Fund; or
 - (iv) if the effective date of the repeal of a tax imposed under Section 59-12-802 or 59-12-804 is July 1, beginning on that effective date and for each subsequent fiscal year, deposit the entire amount of the distribution determined in accordance with Subsection (6)(a) into the General Fund.
- (7)
- (a) Subject to Subsection (7)(b) and Section 59-12-802, a county legislative body shall distribute the money the county legislative body receives in accordance with Subsection (5) or (6):
 - (i) for a county of the third or fourth class, to fund rural county health care facilities in that county; and
 - (ii) for a county of the fifth or sixth class, to fund:
 - (A) rural emergency medical services in that county;
 - (B) federally qualified health centers in that county;
 - (C) freestanding urgent care centers in that county;
 - (D) rural county health care facilities in that county;
 - (E) rural health clinics in that county; or
 - (F) a combination of Subsections (7)(a)(ii)(A) through (E).

- (b) A county legislative body shall distribute the money the county legislative body receives in accordance with Subsection (5) or (6) to a center, clinic, facility, or service described in Subsection (7)(a) as determined by the county legislative body.
 - (c) A center, clinic, facility, or service that receives a distribution in accordance with this Subsection (7) shall expend that distribution for the same purposes for which money collected from a tax under Section 59-12-802 may be expended.
- (8)
- (a) Subject to Subsection (8)(b), a city legislative body shall distribute the money the city legislative body receives in accordance with Subsection (5) or (6) to fund rural city hospitals in that city.
 - (b) A city legislative body shall distribute a percentage of the money the city legislative body receives in accordance with Subsection (5) or (6) to each rural city hospital described in Subsection (8)(a) equal to the same percentage that the city legislative body distributes to that rural city hospital in accordance with Section 59-12-805 for the calendar year ending on the December 31 immediately preceding the first day of the fiscal year for which the city legislative body receives the distribution in accordance with Subsection (5) or (6).
 - (c) A rural city hospital that receives a distribution in accordance with this Subsection (8) shall expend that distribution for the same purposes for which money collected from a tax under Section 59-12-804 may be expended.
- (9) Any money remaining in the Rural Health Care Facilities Account at the end of a fiscal year after the State Tax Commission makes the distributions required by this section shall lapse into the General Fund.

Amended by Chapter 50, 2014 General Session

26-9-5 Rural County Health Care Special Service District Retirement Grant Program.

- (1) As used in this section:
- (a) "Participating employer" means an employer that was required to participate in the Utah State Retirement System under Section 49-12-201, 49-12-202, 49-13-201, or 49-13-202.
 - (b) "Retirement liability" means an obligation in excess of \$750,000 owed to the Utah State Retirement Office by a rural county health care special service district as a participating employer.
 - (c) "Rural county health care special service district" means a special service district formed to provide health care in a third, fourth, fifth, or sixth class county as defined in Section 17-50-501.
- (2) Because there is a compelling statewide public purpose in promoting health care in Utah's rural counties, and particularly in ensuring the continued existence and financial viability of hospital services provided by rural county health care special service districts, there is created a grant program to assist rural county health care special service districts in meeting a retirement liability.
- (3)
- (a) Subject to legislative appropriation and this Subsection (3), the department shall make grants to rural county health care special service districts.
 - (b) To qualify for a grant, a rural county health care special service district shall:
 - (i) file a grant application with the department detailing:
 - (A) the name of the rural county health care special service district;
 - (B) the estimated total amount of the retirement liability;

- (C) the grant amount that the rural county health care special service district is requesting;
and
- (D) the amount of matching funds to be provided by the rural county health care special service district to help fund the retirement liability as required by Subsection (3)(d); and
- (ii) commit to provide matching funds as required by Subsection (3)(d).
- (c) The department shall review each grant application and, subject to legislative appropriation, award grants to each rural health care special service district that qualifies for a grant under Subsection (3)(b).
- (d) The department may not award a grant to a rural county health care special service district unless the rural county health care special service district commits to provide matching funds to the grant equal to at least 40% of the amount of the grant.

Enacted by Chapter 408, 2012 General Session