

Senator Dennis E. Stowell proposes the following substitute bill:

LOCAL HEALTH AUTHORITY FUNDING

AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dennis E. Stowell

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to a committee that reviews the allocation of public health resources between the Department of Health and local health departments.

Highlighted Provisions:

This bill:

▶ amends provisions relating to a committee that reviews the allocation of public health resources between the Department of Health and local health departments,

including ~~§~~ [:

_____] ~~←~~ ~~§~~ committee membership; and

~~§~~ [_____ ~~•~~ ~~committee duties; and~~] ~~←~~ ~~§~~

▶ makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2010.

Utah Code Sections Affected:

AMENDS:

1st Sub. S.B. 68



26 **26-1-4 (Effective 07/01/10)**, as last amended by Laws of Utah 2009, Chapter 136

27

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

29 Section 1. Section **26-1-4 (Effective 07/01/10)** is amended to read:

30 **26-1-4 (Effective 07/01/10). Department of Health created -- Policymaking**
 31 **responsibilities -- Consultation with local health departments -- Committee to evaluate**
 32 **health policies and to review federal grants -- Committee responsibilities.**

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

42 (2) In establishing public health policy, the department shall consult with the local
 43 health departments established under Title 26A, Chapter 1, Local Health Departments.

44 (3) (a) As used in this Subsection (3):

45 (i) "Committee" means the committee established under Subsection (3)(b).

46 (ii) "Exempt application" means an application for a federal grant that meets the
 47 criteria established under Subsection (3)(c)~~(iii)~~(vi).

48 (iii) "Expedited application" means an application for a federal grant that meets the
 49 criteria established under Subsection (3)(c)~~(iv)~~(vi).

50 (iv) "Federal grant" means a grant from the federal government that could provide
 51 funds for local health departments to help them fulfill their duties and responsibilities.

52 (v) "Reviewable application" means an application for a federal grant that is not an
 53 exempt application.

54 (b) ~~§~~ **→ (i) ←** § The department shall establish a committee consisting of:

55 ~~§~~ **→ (i) (A) ←** § the executive director, or the executive director's designee;

56 ~~§~~ **→ (ii) (B) ←** § two representatives of the department, appointed by the executive director;

56a [and]

57 ~~§~~→ [(iii)] (C) ←~~§~~ three representatives of local health departments, appointed by all local
57a health
58 departments[-];

59 ~~§~~→ [(iv)] (D) **subject to Subsection (3)(b)(ii)**, ←~~§~~ a member of the Senate appointed by the
59a president of the Senate; and

60 ~~§~~→ [(v)] (E) **subject to Subsection (3)(b)(ii)**, ←~~§~~ a member of the House of
60a Representatives appointed by the speaker of the House of
61 Representatives.

61a ~~§~~→ (ii) **A member described in Subsection (3)(b)(i)(D) or (E) shall attend at least two**
61b **committee meetings each year.** ←~~§~~

62 (c) The committee shall:

63 ~~§~~→ [(i)] ~~recommend to the department or a local health department the department's or the~~
64 **local health department's responsibilities;**

65 ~~— (ii) recommend minimum performance standards for a local health department;~~

66 ~~— (iii) recommend funding formulas to direct federal grant funds or state general funds to~~
67 **the department or a local health department;**

68 ~~— [(i)] [(iv)] (i)~~ ←~~§~~ evaluate:

69 (A) the allocation of public health resources between the department and local health
70 departments; and

71 (B) policies that affect local health departments;

72 [(ii)] ~~§~~→ [(v)] (ii) ←~~§~~ consider policy changes proposed by the department or local health
73 departments;

74 [(iii)] ~~§~~→ [(vi)] (iii) ←~~§~~ establish criteria by which an application for a federal grant may be
74a judged

75 to determine whether it should be exempt from the requirements under Subsection (3)(d); and

76 [(iv)] ~~§~~→ [(vii)] (iv) ←~~§~~ establish criteria by which an application for a federal grant may be
76a judged

77 to determine whether committee review under Subsection (3)(d)(i) should be delayed until after
78 the application is submitted because the application is required to be submitted under a
79 timetable that makes committee review before it is submitted impracticable if the submission
80 deadline is to be met.

81 (d) (i) The committee shall review the goals and budget for each reviewable
82 application:

83 (A) before the application is submitted, except for an expedited application; and

84 (B) for an expedited application, after the application is submitted but before funds

85 from the federal grant for which the application was submitted are disbursed or encumbered.

86 (ii) Funds from a federal grant pursuant to a reviewable application may not be

87 disbursed or encumbered before the goals and budget for the federal grant are established by:

88 (A) a two-thirds vote of the committee, following the committee review under
89 Subsection (3)(d)(i); or

90 (B) if two-thirds of the committee cannot agree on the goals and budget, the chair of
91 the health advisory council, after consultation with the committee in a manner that the
92 committee determines.

93 (e) An exempt application is exempt from the requirements of Subsection (3)(d).

94 (f) The committee shall report to the Legislature's Health and Human Services
95 Appropriations Subcommittee and Political Subdivisions Interim Committee by November 30
96 of each year regarding implementation of this Subsection (3).

97 (g) The department may use money from a federal grant to pay administrative costs
98 incurred in implementing this Subsection (3).

99 Section 2. **Effective date.**

100 This bill takes effect on July 1, 2010.

S.B. 68 1st Sub. (Green) - Local Health Authority Funding Amendments

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

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.
