

**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: \_\_\_\_\_

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**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
- ▶ 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:

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

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

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

28 **26-1-4 (Effective 07/01/10). Department of Health created -- Policymaking**  
29 **responsibilities -- Consultation with local health departments -- Committee to evaluate**  
30 **health policies and to review federal grants -- Committee responsibilities.**

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

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

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

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

44 (ii) "Exempt application" means an application for a federal grant that meets the  
45 criteria established under Subsection (3)(c)[(iii)](vi).

46 (iii) "Expedited application" means an application for a federal grant that meets the  
47 criteria established under Subsection (3)(c)[(iv)](vi).

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

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

52 (b) (i) The department shall establish a committee consisting of:

53 [(+) (A) the executive director, or the executive director's designee;

54 [(+) (B) two representatives of the department, appointed by the executive director;

55 [and]

56 [(+)] (C) three representatives of local health departments, appointed by all local

57 health departments[-];

58 (D) subject to Subsections (3)(b)(ii)(A), (3)(b)(iii), and (iv), a member of the Senate  
59 appointed by the president of the Senate; and

60 (E) subject to Subsections (3)(b)(ii)(B), (3)(b)(iii), and (iv), a member of the House of  
61 Representatives appointed by the speaker of the House of Representatives.

62 (ii) (A) A member described in Subsection (3)(b)(i)(D) shall attend at least three but no  
63 more than six committee meetings each year.

64 (B) A member described in Subsection (3)(b)(i)(E) shall attend at least three but no  
65 more than six committee meetings each year.

66 (iii) Legislators on the committee shall receive compensation and expenses as provided  
67 by law and legislative rule.

68 (iv) A member described in Subsection (3)(b)(i)(D) or (E) is a non-voting member of  
69 the committee.

70 (c) The committee shall:

71 (i) evaluate:

72 (A) the allocation of public health resources between the department and local health  
73 departments; and

74 (B) policies that affect local health departments;

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

76 (iii) establish criteria by which an application for a federal grant may be judged to  
77 determine whether it should be exempt from the requirements under Subsection (3)(d); and

78 (iv) establish criteria by which an application for a federal grant may be judged to  
79 determine whether committee review under Subsection (3)(d)(i) should be delayed until after  
80 the application is submitted because the application is required to be submitted under a  
81 timetable that makes committee review before it is submitted impracticable if the submission  
82 deadline is to be met.

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

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

86 (B) for an expedited application, after the application is submitted but before funds  
87 from the federal grant for which the application was submitted are disbursed or encumbered.

88 (ii) Funds from a federal grant pursuant to a reviewable application may not be  
89 disbursed or encumbered before the goals and budget for the federal grant are established by:

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

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

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

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

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

101 **Section 2. Effective date.**

102 This bill takes effect on July 1, 2010.