

HOUSE BILL 289

IN THE HOUSE

January 20, 1979

Introduced and referred to  
Committee on Local Govern-  
ment.

February 17, 1979

Committee recommend bill,  
do not pass.

February 20, 1979

Report adopted.

House BILL NO. 289  
Walton Rossmann

INTRODUCED BY

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE METHOD OF FUNDING DIRECT LOCAL PUBLIC HEALTH SERVICES; TO REQUIRE PASS THROUGH OF VARIOUS CATEGORICAL AND NONCATEGORICAL FEDERAL FUNDS; AND TO REQUIRE THE SHARING OF FUNDS GENERATED BY CERTAIN FEES; AMENDING SECTIONS 50-2-101 AND 50-2-103, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 50-2-101, MCA, is amended to read: "50-2-101. Definitions. As used in this chapter, unless the context clearly indicates otherwise, the following definitions apply:

(1) "Communicable disease" means a disease designated communicable by the department.

(2) "Department" means the department of health and environmental sciences, provided for in Title 2, chapter 15, part 21.

(3) "Local board" means a county, city, city-county, or district board of health.

(4) "Local health officer" means a county, city, city-county, or district health officer appointed by the local board.

(5) "Noncategorical money" means money provided to the

department of health and environmental sciences by the federal government and not designated for a specific program or service.

4 ~~5~~ <sup>161</sup> "Physician" means a physician legally authorized to practice medicine in this state."

6 Section 2. Section 50-2-103, MCA, is amended to read: 7 "50-2-103. Federal and state funds. ~~11~~ The department 8 may accept funds for public health from an agency of the 9 federal government or from any other agency or person and 10 allocate funds to local boards.

11 ~~12~~ Rather than providing direct public health 12 services itself, the department shall offer any available 13 financial resources to local boards to provide public health 14 programs which are authorized or mandated by state or 15 federal law and whose purposes are to provide services 16 directly to the citizens of the state. Exceptions to this 17 provision are the following programs:

18 (a) air quality programs;

19 (b) central recording of vital statistic documents;

20 (c) departmental consulting and reference services 21 available to local health departments and boards;

22 (d) family planning programs;

23 (e) hospital and medical facilities licensing and 24 certification;

25 (f) inspection of state institutions for sanitary

1   conditions:

2        19) occupational health programs;

3        191 radiological health programs;

4        1911 specialized medical and diagnostic services;

5        1911 state level subdivision plan approval;

6        1911 statewide health planning; and

7        1911 water quality programs.

8        1931 If the local boards do not wish to provide or are  
9        incapable of providing any program offered by the  
10       department, the department may provide the programs.

11       1941 Nothing in subsections (2) and (3) prohibits the  
12       department from offering direct service programs to local  
13       boards of health if it so desires.

14       1951 Noncategorical federal money which is appropriated  
15       to the state for distribution to local health boards,  
16       including those appropriated under Public Law 94-63, as  
17       amended, shall be allocated by the department to local  
18       boards at the rate of at least 45 cents per capita of state  
19       population a year, using the latest official population  
20       estimate or as stipulated by federal law, for as long as the  
21       program continues. This amount may be adjusted if the total  
22       federal allocations to the state of Montana increase or  
23       decrease under any federal programs but not less than 70% of  
24       the total amount received from the federal government under  
25       Public Law 94-63, as amended, shall be allocated to local

1       boards. The minimum amount allocated to a local board must  
2       be at least \$800 a year.

3       161 Federal and state funds allocated to local boards  
4       for noncategorical public health programs may not be used to  
5       supplant county revenues available to the local health  
6       boards."

7       NEW SECTION. Section 3. Fees to be deposited --  
8       shared. (1) All fees collected by the local health board  
9       shall be deposited in an account to be used only to defray  
10       the expenses of providing the program of the local health  
11       board.

12       (2) All funds available to the department from license  
13       fees, permit fees, or other fees must be shared with local  
14       boards if the local board has assisted the administration of  
15       the programs from which the fees resulted. The department  
16       shall reimburse the local board a percentage of the fee  
17       commensurate with the local board's effort.

18       -End-

## STATE OF MONTANA

REQUEST NO. 253-79

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 7, 1979, there is hereby submitted a Fiscal Note for HB 289..... pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An act to revise the method of funding direct local public health services; to require pass through of various categorical and noncategorical federal funds; and to require the sharing of funds generated by certain fees; amending sections 50-2-101 and 50-2-103, MCA."

## ASSUMPTIONS:

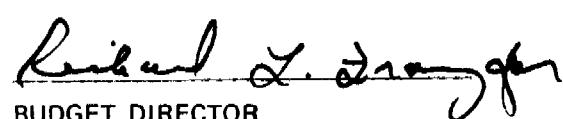
1. Public Law 95-626 is funded as a continuing resolution during 1979 based on Section 314(d) funds. (1978 actual)
2. The programs within the Department of Health and Environmental Sciences that are currently receiving these non-categorical funds are essential to a total statewide health program; therefore, they would require supplanting with State General Funds in order to maintain current program performance.

## FISCAL IMPACT:

	FY80			FY81		
	Existing Law	Proposed Law	(Increase) (Decrease)	Existing Law	Proposed Law	(Increase) (Decrease)
Revenue:						
314(d)	\$471,600	\$ 0	(\$471,600)	\$471,600	\$ 0	(\$471,600)
P.L. 95-626	0	471,600	471,600	0	471,600	471,600
General Fund	0	245,400	245,400	0	268,400	268,400
Total	<u>\$471,600</u>	<u>\$717,000</u>	<u>\$245,400</u>	<u>\$471,600</u>	<u>\$740,000</u>	<u>\$268,400</u>
Additional cost of proposed legislation:						
Operating costs	\$366,600	\$387,000	\$ 20,400	\$366,600	\$410,000	\$ 43,400
Grants	105,000	330,000	225,000	105,000	330,000	225,000
Total	<u>\$471,600</u>	<u>\$717,000</u>	<u>\$245,400</u>	<u>\$471,600</u>	<u>\$740,000</u>	<u>\$268,400</u>

## LOCAL IMPACT:

The impact on any one county will be minimal.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 4/13/79