

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.

1 HOUSE BILL NO. 289
 2 INTRODUCED BY Wallon Rasmussen

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE METHOD OF
 5 FUNDING DIRECT LOCAL PUBLIC HEALTH SERVICES; TO REQUIRE PASS
 6 THROUGH OF VARIOUS CATEGORICAL AND NONCATEGORICAL FEDERAL
 7 FUNDS; AND TO REQUIRE THE SHARING OF FUNDS GENERATED BY
 8 CERTAIN FEES; AMENDING SECTIONS 50-2-101 AND 50-2-103, MCA."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 50-2-101, MCA, is amended to read:
 12 "50-2-101. Definitions. As used in this chapter,
 13 unless the context clearly indicates otherwise, the
 14 following definitions apply:

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

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

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

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

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

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

4 ~~(5)(6) "Physician" means a physician legally~~
 5 ~~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. ~~[[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 ~~(2) 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 (g) occupational health programs;

3 (h) radiological health programs;

4 (i) specialized medical and diagnostic services;

5 (j) state level subdivision plan approval;

6 (k) statewide health planning; and

7 (l) water quality programs.

8 (3) 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 program.

11 (4) 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 (5) 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 (6) 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		
Revenue:	Existing Law	Proposed Law	(Increase) (Decrease)	Existing Law	Proposed Law	(Increase) (Decrease)
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.

Richard L. Drayton
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2/12/79