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2 INTRODUCED BY Jash House BILL NO. 196  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE DEPARTMENT OF ENVIRONMENTAL  
5 QUALITY AND THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO AWARD GRANTS TO  
6 LOCAL GOVERNMENT ENTITIES FOR PUBLIC HEALTH IMPROVEMENT PROJECTS; PROVIDING  
7 LEGISLATIVE FINDINGS AND PURPOSE; PROVIDING DEFINITIONS; REQUIRING REPORTS; AND  
8 PROVIDING AN EFFECTIVE DATE."  
9

10 WHEREAS, Title 50, chapter 1, part 4, MCA, enacted by the 54th Legislature, created a Public  
11 Health Improvement Task Force, and required the task force to prepare a public health improvement plan;  
12 and

13 WHEREAS, the task force issued a report containing the 1996 Public Health Improvement Plan that  
14 encourages local public health agencies to implement core functions of those agencies by adopting and  
15 implementing public health responsibilities proposed by the task force; and

16 WHEREAS, the state should assist local public health agencies to implement core functions and  
17 public health responsibilities by awarding monetary grants to those agencies for public health improvement  
18 projects, which will be funded through an appropriation to the Department of Public Health and Human  
19 Services in House Bill No. 2; and

20 WHEREAS, the Department of Public Health and Human Services recognizes the need to devote  
21 resources to efforts designed to strengthen the ability of local public health agencies to fulfill the proposed  
22 public health responsibilities as adopted by the task force, yet the Department also recognizes that  
23 resources are limited.

24 THEREFORE, the Montana Public Health Improvement Act of 1997 is enacted to further define the  
25 core functions of local public health agencies, to create a state public health policy, and to provide for  
26 project grants to assist local public health agencies in their efforts to fulfill proposed public health  
27 responsibilities as adopted in the 1996 Public Health Improvement Plan.  
28

29 STATEMENT OF INTENT

30 A statement of legislative intent is required for this bill because [section 4(6)] requires the

1 departments of environmental quality and public health and human services to jointly adopt rules  
2 implementing [sections 1 through 4].

3 (1) It is the intent of the legislature that the departments jointly adopt rules governing public health  
4 improvement projects, including rules specifying:

5 (a) the form and time in which project proposals are to be submitted;

6 (b) the content of a plan for implementing public health responsibilities, as proposed by the task  
7 force and as adopted by the local public health agency of the government entity applying for the grant;

8 (c) the form and time in which project reports are due after award of a project grant; and

9 (d) the content of the report demonstrating how the project grant was used to fulfill public health  
10 responsibilities of the government entity receiving the grant.

11 (2) It is the further intent of the legislature that the departments shall by rule require local public  
12 health agencies to refer in their plans and reports to the public health agency responsibilities, local public  
13 health agency roles, and enhanced local public health agency roles as provided in the 1996 public health  
14 improvement plan, and to require local public health agencies to include an explanation in their plans of  
15 which public health responsibilities will or will not be implemented and to include an explanation in their  
16 reports of which responsibilities have or have not been implemented and the reason for implementation or  
17 lack of implementation of each public health responsibility.

18

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

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21 **NEW SECTION. Section 1. Short title.** [Sections 1 through 4] may be cited as the "Montana  
22 Public Health Improvement Act".

23

24 **NEW SECTION. Section 2. Public health policy -- legislative findings and purpose.** (1) The  
25 legislature finds that a strong public health system helps control public health care costs through the  
26 prevention of disease and premature death. The legislature also finds that there are many local public  
27 health systems in Montana that do not have sufficient capacity in core functions, such as prevention of  
28 communicable and chronic diseases, provision of public health nursing services, protection of environmental  
29 health, and promotion of healthy behaviors to adequately protect Montanans from public health threats.

30 (2) The legislature finds that public health improvement activities should:

- 1 (a) continue to examine innovative strategies to provide funding associated with fulfilling public  
2 health responsibilities;
- 3 (b) encourage coordination of state, local, private, and public efforts to improve public health; and  
4 (c) refine as necessary public health responsibilities.
- 5 (3) The legislature declares that the purpose of the Montana Public Health Improvement Act is to:  
6 (a) encourage pertinent state agencies, local governments, and community organizations to fulfill  
7 public health responsibilities;
- 8 (b) determine the most serious threats to public health;  
9 (c) determine a method to address those threats; and  
10 (d) provide local and state decision makers with a framework for prioritizing a public response to  
11 those threats.

12

13 **NEW SECTION. Section 3. Definitions.** As used in [sections 1 through 4], unless the context  
14 clearly indicates otherwise, the following definitions apply:

15 (1) "Core functions" means the ability of a local public health agency to:

16 (a) assess health trends, status, risks, and resources within a community or statewide through the  
17 regular collection, analysis, and dissemination of related information;

18 (b) assist individuals, acting separately or collectively, with promotion and education of health  
19 concepts and healthy behaviors in order to make informed decisions on matters affecting individual, family,  
20 or community health;

21 (c) protect individuals and populations from health and environmental risks through controlling and  
22 reducing exposure to environmental and personal hazards, conditions, communicable and chronic diseases,  
23 and factors associated with health problems;

24 (d) assure the availability and accessibility of high-quality public and personal health services;

25 (e) guide individual and community public health efforts through policy development; and

26 (f) provide leadership, technical expertise, and administration necessary for the effective  
27 assignment and completion of essential public health functions.

28 (2) "Departments" means the department of environmental quality provided for in 2-15-3501 and  
29 the department of public health and human services provided for in 2-15-2201.

30 (3) "Government entity" or "entity" means:

1 (a) a city, county, or city-county consolidated government;

2 (b) a group of cities, group of counties, or group of city-county consolidated governments; or

3 (c) any combination of subsections (3)(a) and (b).

4 (4) "Local public health agency" means a city, county, or consolidated city-county public health  
5 department.

6 (5) "Public health" means an applied science designed to promote individual, community, and  
7 environmental health by understanding, anticipating, and responding to the health-related needs of  
8 Montanans in their communities, with particular attention to policies and services implementing core  
9 functions.

10 (6) "Public health responsibilities" means the acts of a local public health agency necessary to  
11 implement core functions within the geographic jurisdiction of the local public health agency.

12

13 **NEW SECTION. Section 4. Departments to advertise for proposals for public health improvement**  
14 **projects -- grants to counties or groups of counties -- reports -- rules.** (1) The departments shall advertise  
15 for proposals for grants for public health improvement projects. A proposal may be submitted to the  
16 departments only by a government entity. The proposal may include a listing of individuals, community  
17 organizations, or other persons that are directly involved with providing public health services within the  
18 geographic jurisdiction of the government entity and the role to be played by those individuals,  
19 organizations, or other persons in the proposed project.

20 (2) The departments shall award a grant for a public health improvement project that will best  
21 assist a government entity to fulfill public health responsibilities of the government entity in which the  
22 department of public health and human services determines that public health responsibilities are not being  
23 fulfilled.

24 (3) A government entity submitting a proposal to the departments may, in the entity's discretion,  
25 submit a proposal for a grant that is determined by the entity to best meet unfulfilled public health  
26 responsibilities within the geographic jurisdiction of the entity. A government entity submitting a grant  
27 proposal shall receive public comment on the proposal before submitting the proposal to the departments.

28 (4) A government entity submitting a grant proposal shall submit as part of the proposal a detailed  
29 plan, at the time and in the manner and form provided by the rules of the departments, for implementing  
30 unfulfilled public health responsibilities within the geographic jurisdiction of the entity.

1           (5) A government entity receiving a public health improvement project grant shall submit to the  
2 departments, at the time and in the manner and form provided by the rules of the departments, a report  
3 demonstrating how the entity used the project grant to fulfill its public health responsibilities and specifying  
4 which public health responsibilities remain unfulfilled.

5           (6) The departments shall jointly adopt rules implementing [sections 1 through 4]. To jointly adopt  
6 the rules, the departments shall conduct a joint public hearing if a public hearing is conducted, publish joint  
7 rulemaking notices, and coordinate responses to public comments in an appropriate manner.

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9           NEW SECTION. **Section 5. Codification instruction.** [Sections 1 through 4] are intended to be  
10 codified as an integral part of Title 50, and the provisions of Title 50 apply to [sections 1 through 4].

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12           NEW SECTION. **Section 6. Effective date.** [This act] is effective July 1, 1997.

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-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0196, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

This bill authorizes the Department of Environmental Quality and the Department of Public Health and Human Services to award grants to local government entities for public health improvement projects.

ASSUMPTIONS:

Department of Environmental Quality (DEQ):

1. The appropriation for grants under this bill would be made to DPHHS in HB 2, as specified in this bill.
2. The DEQ and DPHHS would jointly adopt rules to implement the bill.
3. The DEQ and DPHHS would jointly evaluate plans and grant applications submitted by local entities.
4. Since DPHHS would receive the appropriation as specified in this bill, DPHHS would pay the costs of rule adoption and implementing the grant process, with the exception of DEQ staff costs, which would be absorbed.

Department of Public Health and Human Services (DPHHS):

5. The 1995 Legislature in HB 511 mandated a Public Health Improvement Task Force to develop a public health improvement plan. The 1996 Public Health Improvement Plan encourages local public health agencies to implement core functions of those agencies by adopting and implementing public health responsibilities proposed by the task force.
6. DPHHS will award monetary grants to counties for public health improvements.
7. DPHHS will request authorization in HB2 for the use of department general fund for these grants should savings occur.

FISCAL IMPACT:

None in the 1999 biennium.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Grants to local entities as appropriated in the future.

Dave Lewis 1-15-97  
DAVE LEWIS, BUDGET DIRECTOR DATE  
Office of Budget and Program Planning

Bill Tash 1/16/97  
BILL TASH, PRIMARY SPONSOR DATE

Fiscal Note for HB0196, as introduced

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