

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2004

That the House recede from its amendments as printed on pages 1309-1311 of the Senate Journal and pages 1570-1573 of the House Journal and that Engrossed Senate Bill No. 2004 be amended as follows:

Page 1, line 2, after "health" insert "; to create and enact a new subsection to section 23-01-05 of the North Dakota Century Code, relating to the state health officer's duty to establish an environmental review process for commercial buildings"

Page 1, line 10, after "campgrounds" insert "; to provide for a report to the legislative council; to provide legislative intent"

Page 2, line 7, replace "2,712,149" with "2,080,994"

Page 2, line 8, replace "1,288,653" with "1,462,724"

Page 2, line 10, replace "5,901,038" with "5,111,538"

Page 2, line 11, replace "903,645" with "902,898"

Page 2, line 14, replace "7,085,117" with "5,837,786"

Page 2, line 15, replace "6,826,931" with "5,602,356"

Page 2, line 16, replace "258,186" with "235,430"

Page 2, line 22, replace "32,685,078" with "32,053,923"

Page 2, line 23, replace "25,439,910" with "25,613,981"

Page 2, line 25, replace "42,591,666" with "41,802,166"

Page 2, line 26, replace "8,686,742" with "8,685,995"

Page 2, line 28, replace "126,667,865" with "125,420,534"

Page 2, line 29, replace "113,308,587" with "112,084,012"

Page 2, line 30, replace "13,359,278" with "13,336,522"

Page 3, line 13, replace "\$280,000" with "\$340,000"

Page 4, after line 26, insert:

"SECTION 13. A new subsection to section 23-01-05 of the North Dakota Century Code is created and enacted as follows:

- a. Establish a review process for instances in which the department is requested to conduct an epidemiological assessment of a commercial building. The epidemiological assessment must include:
 - (1) A statement of whether there are known environmental causes;
 - (2) If there are known environmental causes identified, a recommendation of how they can be remediated or mitigated; and
 - (3) If there are no known environmental causes identified, a statement that no known causes exist.
- b. Costs for remediation, mitigation, and consultant services are the responsibility of the building owner. Proof of remediation of any identified environmental concern related to the epidemiological assessment is the burden of the building owner."

Page 7, line 22, remove "funded by grants, fees, and increases in tobacco taxes"

Page 7, after line 27, insert:

"SECTION 21. LEGISLATIVE COUNCIL STUDY - PUBLIC HEALTH INFRASTRUCTURE AND FOOD AND LODGING INSPECTIONS. The legislative council shall study, during the 2005-06 interim, the state's public health unit infrastructure and the ability of the public health units to respond to public health issues. The study must include an assessment of the efficiency of operations, given the personnel and financial resources available, and the effectiveness of services, given the lines of governmental authority of the current infrastructure. The study must include the efficiency of the food and lodging investigation services provided by the state department of health and the public health units and must develop a plan maximizing efficiencies through a coordinated system and fee structure. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly.

SECTION 22. LEGISLATIVE COUNCIL STUDY - TOBACCO SETTLEMENT COLLECTIONS. The legislative council shall consider studying, during the 2005-06 interim, whether to change guidelines for funding programs as a result of additional tobacco settlement collections that are anticipated to be received and deposited in the community health trust fund from 2008 through 2017. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly.

SECTION 23. LEGISLATIVE INTENT - WORKSITE WELLNESS PILOT PROJECT. It is the intent of the fifty-ninth legislative assembly that the state department of health may use federal funding to match nonstate funding and contract with a nonstate entity for a worksite wellness pilot project during the 2005-07 biennium. The state department of health shall provide a report on the pilot project to the sixtieth legislative assembly.

SECTION 24. LEGISLATIVE INTENT - FUNDING FOR ABSTINENCE PROGRAMS. It is the intent of the fifty-ninth legislative assembly that the state department of health pursue \$220,000 for abstinence programs from federal grants or other sources and that the new funding be in addition to existing funding for abstinence programs.

SECTION 25. LEGISLATIVE INTENT - FEDERAL BIOTERRORISM FUNDING. It is the intent of the fifty-ninth legislative assembly that the full-time

equivalent employee positions funded with federal bioterrorism grants be discontinued when the funding for the programs ends.

SECTION 26. BASIC CARE SURVEY PILOT PROJECT - LEGISLATIVE COUNCIL REPORT. The state department of health shall develop a pilot project to test an announced basic care survey process. The pilot project must begin with fifty percent of the state-licensed basic care providers surveyed receiving an announced survey and the remaining receiving an unannounced survey. The state department of health shall evaluate the survey pilot project and submit a report to the legislative council during the 2005-06 interim. The report must include a recommendation of whether the unannounced survey process should continue for all basic care facilities. The pilot project must include standard basic care surveys and all complaint investigations must be unannounced."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2004 - State Department of Health - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$32,816,481	\$32,685,078	(\$631,155)	\$32,053,923	\$32,179,923	(\$126,000)
Operating expenses	25,322,640	25,439,910	174,071	25,613,981	25,546,623	67,358
Capital assets	1,514,469	1,514,469		1,514,469	1,514,469	
Grants	42,466,666	42,591,666	(789,500)	41,802,166	41,827,166	(25,000)
Tobacco prevention and control	8,689,062	8,686,742	(747)	8,685,995	8,685,995	
WIC food payments	15,750,000	15,750,000		15,750,000	15,750,000	
Total all funds	\$126,559,318	\$126,667,865	(\$1,247,331)	\$125,420,534	\$125,504,176	(\$83,642)
Less estimated income	112,120,210	113,308,587	(1,224,575)	112,084,012	112,167,654	(83,642)
General fund	\$14,439,108	\$13,359,278	(\$22,756)	\$13,336,522	\$13,336,522	\$0
FTE	317.00	317.00	(5.50)	311.50	312.50	(1.00)

Dept. 301 - State Department of Health - Detail of Conference Committee Changes

	REMOVES FUNDING FOR PHYSICIAN LOAN REPAYMENT PROGRAM ¹	CHANGES FUNDING SOURCE FOR FOOD AND LODGING INSPECTIONS ²	DECREASES OPERATIONS FOR FOOD AND LODGING INSPECTIONS ³	REMOVES 1 FTE FOOD AND LODGING INSPECTOR POSITION ⁴	REMOVES FUNDING FOR THE NURSE SCHOLARSHIP AND GRANT PROGRAM ⁵	REDUCES FUNDING FOR QUICK RESPONSE UNIT PILOT PROJECT ⁶
Salaries and wages				(\$90,077)		
Operating expenses		\$25,000	(\$68,512)			
Capital assets						
Grants	(\$125,000)				(\$489,500)	(\$100,000)
Tobacco prevention and control						
WIC food payments						
Total all funds	(\$125,000)	\$25,000	(\$68,512)	(\$90,077)	(\$489,500)	(\$100,000)
Less estimated income		(114,116)	(68,512)	(63,054)	(489,500)	(100,000)
General fund	(\$125,000)	\$139,116	\$0	(\$27,023)	\$0	\$0
FTE	0.00	0.00	0.00	(1.00)	0.00	0.00
	ADDS FUNDING FOR ARSENIC PROGRAM ⁷	DECREASES FUNDING FOR HEALTHY NORTH DAKOTA PROGRAM ⁸	REMOVES 1 FTE POSITION AND FUNDING FOR ASTHMA PROGRAM ⁹	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE ¹⁰	ADDS FUNDING FOR DOMESTIC VIOLENCE PREVENTION GRANTS ¹¹	ADDS FUNDING FOR ABSTINENCE PROGRAMS ¹²
Salaries and wages		(\$282,240)	(\$93,774)	(\$39,064)		
Operating expenses	\$700,000	34,474	(510,491)			\$220,000
Capital assets						
Grants		(135,000)			\$60,000	
Tobacco prevention and control				(747)		
WIC food payments						

Total all funds	\$700,000	(\$382,766)	(\$604,265)	(\$39,811)	\$60,000	\$220,000
Less estimated income	<u>700,000</u>	<u>(382,766)</u>	<u>(604,265)</u>	<u>(29,962)</u>	<u>60,000</u>	<u>220,000</u>
General fund	\$0	\$0	\$0	(\$9,849)	\$0	\$0
FTE	0.00	(2.50)	(1.00)	0.00	0.00	0.00

	REMOVES FUNDING FOR DATA WAREHOUSE PROGRAM ¹³	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$126,000)	(\$631,155)
Operating expenses	(226,400)	174,071
Capital assets		
Grants		(789,500)
Tobacco prevention and control		(747)
WIC food payments		
Total all funds	(\$352,400)	(\$1,247,331)
Less estimated income	<u>(352,400)</u>	<u>(1,224,575)</u>
General fund	\$0	(\$22,756)
FTE	(1.00)	(5.50)

¹ The conference committee removed \$125,000 from the general fund for the state-community matching physician loan repayment program and the state-community matching loan repayment program for nurse practitioners, physician assistants, and certified nurse midwives. The House removed \$100,000 from this program.

² The conference committee adjusted food and lodging inspections funding to provide a net amount of \$125,000 from the general fund for the program. The House version provided \$100,000 from the general fund for food and lodging inspections.

³ The conference committee reduced operating expenses for food and lodging inspections by \$68,512. The House reduction was for \$117,270. The anticipated food and lodging fee increase will be \$190,000. The House version would have increased fees by \$155,242.

The total funding for food and lodging for the executive budget, Senate, and conference committee versions are:

	EXECUTIVE RECOMMENDATION	SENATE VERSION	CONFERENCE COMMITTEE VERSION
General fund	\$652,865	\$12,907	\$125,000
Special funds	<u>109,547</u>	<u>866,775</u>	<u>621,093</u>
Total	\$762,412	\$879,682	\$746,093

⁴ The conference committee agreed with the House amendment to remove 1 FTE environmental health inspector position, which was included in the executive recommendation to conduct additional food and lodging inspections.

⁵ The conference committee agreed with the House amendment to remove funding from the health care trust fund for the scholarship and nurses' student loan repayment grant program.

⁶ The conference committee agreed with the House amendment to decrease funding from the health care trust fund for the quick response unit pilot project from \$225,000 to \$125,000.

⁷ The conference committee agreed with the House amendment to increase other funds spending authority for the department to receive a grant to address arsenic issues in southeastern North Dakota.

⁸ The conference committee agreed with the House amendment to remove 2.5 FTE positions and decreased funding for the Healthy North Dakota program by \$382,766. The remaining Healthy North Dakota funding authority is for contract services related to a worksite wellness pilot project (\$135,000).

⁹ The conference committee agreed with the House amendment to remove 1 FTE program administrator position and decreased the funding for the asthma program. The department is to request approval from the Emergency Commission and Budget Section if federal funding for this program is authorized.

¹⁰ This amendment reduces the funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

¹¹ The conference committee agreed with the House amendment to increase funding from the domestic violence prevention fund for grants. Additional revenues of approximately \$60,000 are anticipated to be generated for the fund if 2005 Senate Bill No. 2361 is approved by the 2005 Legislative Assembly.

¹² The conference committee added \$220,000 of other funds spending authority for abstinence programs with the intent that the State Department of Health pursue additional funding to what is currently available for the programs.

¹³ The conference committee removed funding and 1 FTE position related to the department's data warehouse program.

The conference committee agreed with the House amendment providing for a study to determine the funding guidelines for additional tobacco settlement funds that are anticipated to be received during the 2007-09 biennium.

The conference committee provided \$220,000 of spending authority for abstinence education programs and added an intent section that the State Department of Health pursue additional federal or other funds for abstinence programs.

The conference committee agreed with the House amendment to provide intent that FTE positions funded with federal bioterrorism grants not be continued by the department when the funding stops.

The conference committee agreed with the House amendment providing for a pilot project for the State Department of Health to conduct announced basic care surveys.

The conference committee provided for the State Department of Health to establish an environmental review process for commercial buildings.

The conference committee provided for a Legislative Council study of food and lodging inspection programs.

The conference committee agreed with the House amendment providing for a worksite wellness pilot project to be contracted with a nonstate entity by the State Department of Health.