

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1004

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the state
2 department of health; to create and enact a new section to chapter 23-39 of the North Dakota
3 Century Code, relating to collecting fees for tanning facility inspections; to amend and reenact
4 section 23-01-05.3 of the North Dakota Century Code, relating to tracking immunizations; and
5 to provide legislative intent.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
8 section represent the base level funding component appropriated to the state department of
9 health in section 3 of this Act as follows:

10 Salaries and wages	\$32,342,513
11 Operating expenses	25,613,981
12 Capital assets	1,514,469
13 Grants	41,832,166
14 Tobacco prevention and control	8,685,995
15 WIC food payments	<u>15,750,000</u>
16 Total all funds - Base level	\$125,739,124
17 Less estimated income - Base level	<u>112,270,220</u>
18 Total general fund - Base level	\$13,468,904

19 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
20 amounts identified in this section represent the funding adjustments or enhancements to the
21 base funding level for the state department of health which are included in the appropriation in
22 section 3 of this Act as follows:

23 Salaries and wages	\$5,405,392
24 Operating expenses	19,982,693

1	Capital assets	302,914
2	Grants	14,625,610
3	Tobacco prevention and control	233,351
4	WIC food payments	<u>1,800,000</u>
5	Total all funds - Adjustments/enhancements	\$42,349,960
6	Less estimated income - Adjustments/enhancements	<u>36,941,901</u>
7	Total general fund - Adjustments/enhancements	\$5,408,059

8 **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the
9 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
10 treasury, not otherwise appropriated, and from special funds derived from federal funds and
11 other income, to the state department of health for the purpose of defraying the expenses of
12 that agency, for the biennium beginning July 1, 2007, and ending June 30, 2009, as follows:

13	Salaries and wages	\$37,747,905
14	Operating expenses	45,596,674
15	Capital assets	1,817,383
16	Grants	56,457,776
17	Tobacco prevention and control	8,919,346
18	WIC food payments	<u>17,550,000</u>
19	Total all funds	\$168,089,084
20	Less estimated income	<u>149,212,121</u>
21	Total general fund appropriation	\$18,876,963

22 **SECTION 4. ENVIRONMENT AND RANGELAND PROTECTION FUND.** The
23 estimated income line item included in section 3 of this Act includes \$266,119, or so much of
24 the sum as may be necessary, to be made available to the state department of health from the
25 environment and rangeland protection fund, for the biennium beginning July 1, 2007, and
26 ending June 30, 2009. This amount includes \$50,000 for a grant to the North Dakota
27 stockmen's association environmental services program.

28 **SECTION 5. INTENT - INDIRECT COST RECOVERIES.** Notwithstanding section
29 54-44.1-14, the state department of health may deposit indirect cost recoveries in its operating
30 account.

1 **SECTION 6. AMENDMENT.** Section 23-01-05.3 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **23-01-05.3. Immunization data.**

- 4 1. The state department of health may establish an immunization information system
5 and may require the childhood immunizations specified in subsection 1 of section
6 23-07-17.1 and other information be reported to the department. The state
7 department of health may only require the reporting of childhood immunizations
8 and other data upon completion of the immunization information reporting system.
9 A health care provider who administers a childhood immunization shall report the
10 patient's identifying information, the immunization that is administered, and other
11 required information to the department. The report must be submitted using
12 electronic media, and must contain the data content and use the format and codes
13 specified by the department.
- 14 2. Notwithstanding any other provision of law, a health care provider, elementary or
15 secondary school, early childhood facility, public or private postsecondary
16 educational institution, city or county board of health, district health unit, and the
17 state health officer may exchange immunization data in any manner with one
18 another. Immunization data that may be exchanged under this section is limited to
19 the date and type of immunization administered to a patient and may be
20 exchanged regardless of the date of the immunization.

21 **SECTION 7.** A new section to chapter 23-39 of the North Dakota Century Code is
22 created and enacted as follows:

23 **License fees.** The fees established by the department must be based on the cost of
24 conducting routine and complaint inspections, enforcement action, and preparing and sending
25 license renewals. License fees collected pursuant to this chapter must be deposited in the
26 department's operating fund in the state treasury and any expenditure from the fund is subject
27 to appropriation by the legislative assembly. The department shall waive all or a portion of the
28 license fee for any tanning facility that is subject to local jurisdiction.

29 The department shall accept city or county enforcement of this chapter if the
30 department determines the city or county requirements meet or exceed the requirements of this
31 chapter and any rules promulgated under this chapter.

