

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2333

Introduced by

Senators J. Lee, Fischer, Heckaman

Representatives Klein, Pinkerton, Weisz

1 A BILL for an Act to create and enact chapter 23-35.1 of the North Dakota Century Code,
2 relating to the creation of regional public health networks; and to provide an appropriation.

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

4 **SECTION 1.** Chapter 23-35.1 of the North Dakota Century Code is created and
5 enacted as follows:

6 **23-35.1-01. Definitions.** For purposes of this chapter, unless the context otherwise
7 requires:

- 8 1. The definitions of section 23-35-01 apply; and
9 2. "Regional public health network" means a group of public health units that have
10 entered a joint powers agreement or an existing lead multidistrict health unit
11 identified in the emergency preparedness and response region which has been
12 reviewed by the state health officer and has been verified as meeting the
13 requirements of this chapter and chapter 54-40.3.

14 **23-35.1-02. Regional public health network - Joint powers agreement - Review by**
15 **state health officer - Criteria.** Before a group of public health units may be designated as a
16 regional public health network, the state health officer shall review the joint powers agreement
17 the districts entered and verify that:

- 18 1. The geographical region covered by the regional public health network
19 corresponds to one of the emergency preparedness and response regions
20 established by the state department of health.
21 2. The joint powers agreement requires that the participating public health units:
22 a. Share various administrative functions and public health services in
23 accordance with subsection 3;
24 b. Comply with requirements the health council adopts by rule; and

c. Meet department maintenance of effort funding requirements, which must be calculated based on each unit's dollar or mill levy public health unit contribution in calendar year 2007.

3. The joint powers agreement requires:

a. A regional public health network to share the following public health services:

(1) Emergency preparedness and response;

(2) Environmental health services; and

(3) A regional public health network health officer, although this paragraph does not prohibit a public health unit from appointing a local health officer.

b. A regional public health network to select and share at least three administrative functions and at least three public health services, as provided under this subdivision:

(1) "Administrative functions" are:

(a) Financial accounting, billing, and accounts receivable;

(b) Community assessment and planning;

(c) Contract compliance;

(d) Public health service improvement planning;

(e) Human resource management;

(f) Technology support;

(g) Budgeting;

(h) Workforce development;

(i) Public information;

(j) Grant writing;

(k) Inventory management, including vaccines; and

(l) Any other functions approved by the state health officer.

(2) "Public health services" are:

(a) School health;

(b) Nutrition;

(c) Family planning;

(d) Injury prevention;

- 1 (e) Violence prevention;
- 2 (f) Tobacco prevention and cessation;
- 3 (g) Oral health;
- 4 (h) Cancer prevention;
- 5 (i) Maternal and child health;
- 6 (j) Asthma;
- 7 (k) Diabetes;
- 8 (l) Cardiovascular health;
- 9 (m) Physical activity;
- 10 (n) Immunizations;
- 11 (o) Communicable disease programs;
- 12 (p) Mental health;
- 13 (q) Chronic disease;
- 14 (r) Public health visits; and
- 15 (s) Any other services approved by the state health officer.

- 16 4. The joint powers agreement provides:
- 17 a. Criteria for the future participation of public health units that were not parties
- 18 to the original joint powers agreement;
- 19 b. An application process by which public health units that were not parties to
- 20 the original joint powers agreement may become participating districts; and
- 21 c. A process by which public health units that were not parties to the original
- 22 joint powers agreement may appeal a decision to deny an application to
- 23 participate in the agreement to the state health officer.

- 24 5. The joint powers agreement provides for the structure of the governing body of the
- 25 network.

26 **23-35.1-03. Regional public health network - Annual plan.** A regional public health
27 network shall prepare an annual plan regarding the provision of the required and optional public
28 health services and shall submit the plan to the state health officer for approval.

29 **23-35.1-04. Regional public health networks - Receipt and use of moneys.** The
30 board of a regional public health network may receive and expend moneys for the provision of
31 administrative functions, public health services, and any other lawful activities.

1 **23-35.1-05. Compensation - Reimbursement - Extraordinary service.** The board of
2 a regional public health network may provide compensation and reimbursement to any board
3 member who, at the direction of the board, performs extraordinary service on behalf of the
4 board. For purposes of this section, "extraordinary service" means duties beyond those
5 reasonably expected of members of the board and includes travel to and attendance at national
6 meetings or conventions.

7 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the
8 general fund in the state treasury, not otherwise appropriated, the sum of \$3,800,000, or so
9 much of the sum as may be necessary, to the state department of health for the purpose of
10 funding regional public health networks, according to a funding formula established by the state
11 health council in consultation with local public health units, for the biennium beginning July 1,
12 2009, and ending June 30, 2011.

13 **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the
14 general fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so
15 much of the sum as may be necessary, to the state department of health for the purpose of
16 providing funds to local public health units for providing immunization services statewide,
17 according to a funding formula established by the state health council in consultation with local
18 public health units, for the biennium beginning July 1, 2009, and ending June 30, 2011.