

STATE DEPARTMENT OF HEALTH FACILITIES STUDY

Section 8 of House Bill No. 1004 (attached as Appendix A) requires the State Department of Health to develop a master plan for its facilities; to develop a definitive plan and firm cost estimates for upgrading the department's laboratory facilities, for providing a state morgue for the state medical examiner, and for bringing the department's facilities into compliance with applicable building code requirements; and to submit the plans to the Legislative Council during the 1999-2000 interim. The Legislative Council is to study the plans submitted by the State Department of Health and report its findings and recommendations to the 2001 Legislative Assembly.

1999 LEGISLATIVE ACTION

The 1999 Legislative Assembly appropriated \$45,000 from the general fund to the State

Department of Health to develop the plan for its facilities.

The 1999-2001 executive budget included \$3 million of bonding authority for the State Department of Health to use for constructing a facility to house the state medical examiner and laboratories. The Legislative Assembly removed the \$3 million of bonding authority and provided that the department develop a master plan for its facilities and report to the Legislative Council.

CURRENT STATE DEPARTMENT OF HEALTH FACILITIES

The schedule below presents information on each of the facilities utilized by the State Department of Health.

	Owned/ Leased	Total Square Feet in Building	Number of Employees in Building	Primary Department Program or Section	Annual Rent	Cost Per Square Foot
State Capitol - Judicial Wing 600 East Boulevard Avenue Bismarck	State-owned	23,190	119	State Health Officer Administrative Services Health Resources Preventive Health	\$99,168	\$4.28
Storage	State-owned	1,164	0			
Missouri Office Building 1200 Missouri Avenue Bismarck	Leased	20,560	104	Environmental Health Section	213,276	10.37
Microbiology Lab 1205 Avenue A West Bismarck	Leased	6,632	17	Microbiology	88,151	12.54
Garage - Storage	Leased	400	0			
White house 1220 Missouri Avenue Bismarck	Leased	1,456	8	Municipal facilities	14,808	10.17
East Laboratory 2635 East Main Bismarck	State-owned	18,291	35	Forensic Examiner Toxicologist Crime Lab Chemistry	0	
Environmental Training Center 2639 East Main Bismarck	State-owned	5,944	7	Training facility	0	
	State-owned	48,579	161		\$99,168	N/A
	Leased	29,048	129		316,235	\$10.89
Total		77,637	290		\$415,403	N/A

Attached as Appendix B is an organizational chart of the State Department of Health.

MEDICAL EXAMINER HISTORY

The 1995 Legislative Assembly authorized the State Department of Health to hire a state medical examiner. Dr. George Mizell was hired as the state medical examiner in August 1996. Dr. Mizell is housed in the East Laboratory facility and was utilizing the morgues of St. Alexis Medical Center and

Medcenter One on a six-month rotating basis. In 1996 these hospitals offered the use of their morgues until the State Department of Health could provide a permanent facility for the state medical examiner and staff. In November 1998 St. Alexius Medical Center discontinued providing the state its morgue facilities and the department is in the process of constructing a temporary morgue in the department's Environmental Training Center facility.

Prior to the submission of the 1999-2001 executive budget, the department considered a variety of options for housing the state medical examiner, including:

1. Renting or purchasing and converting an existing building.
2. Constructing a facility.
3. Collocating the office with the University of North Dakota School of Medicine and Health Sciences in Bismarck or Grand Forks.

LABORATORY FACILITIES

Through building inspections, the department has learned of many life safety code problems with its facilities. A brief summary of each is listed below.

The Missouri Office Building was inspected in October 1998 and the inspection revealed that:

1. The building has an inadequate number of exits.
2. The exits are being used for equipment and storage.
3. The exits are not properly marked.
4. Stair enclosures are not separated by adequate fire-rated walls.
5. Stair enclosure doors are not self-closing.
6. Existing separation walls have many penetrations.
7. The combustion air duct in the boiler room is inadequate.
8. Many portable heaters are located throughout the building because of its poor heating system.

The East Laboratory building was inspected in October 1998 and the inspection revealed that:

1. The building does not comply with fire-resistive requirements.
2. The exits are improperly marked.
3. There is an inadequate number of exits from certain areas.
4. Storage areas are inadequate for stored chemicals.
5. Louvers have been cut into fire-rated doors.
6. Ventilation is inadequate in storage rooms.
7. Fire suppression systems are inadequate.

8. The heating, ventilation, and air-conditioning (HVAC) system allows flammable vapors to be recirculated into the building. (A May 1998 estimate by an engineering firm estimated the cost of upgrading the facility's HVAC system at approximately \$1.5 million.)

The Microbiology Lab building was inspected in October 1998 and revealed that:

1. The building does not meet fire-resistive requirements.
2. The exits are improperly marked.
3. Exhaust fans may not be explosion-proof.
4. Flammable liquids are stored in locations not designed for this type of storage.
5. Many portable heaters and appliances are powered by extension cords throughout the building.

PREVIOUS STUDIES

The 1995-96 interim North Dakota/South Dakota Commission reviewed the responsibilities of the health laboratories in North Dakota and South Dakota and considered whether the two states could share laboratory services. The commission recommended Senate Bill No. 2048 which was approved by the 1997 Legislative Assembly that allows an agency to enter into an agreement with South Dakota to form a bistate authority to jointly exercise any function that the entity is authorized to perform. Any proposed agreement must be submitted to the Legislative Assembly or the Legislative Council for approval.

STUDY PLAN

The committee may wish to proceed with this study as follows:

1. Receive status reports from the State Department of Health as it develops its facilities plan.
2. Tour State Department of Health facilities.
3. Review the plan submitted by the department, including its effectiveness for providing for the department's space needs, meeting life safety code requirements, and its cost-effectiveness.
4. Receive testimony from state agency representatives and other interested persons regarding the State Department of Health facilities plan.
5. Develop committee recommendations and prepare the necessary legislation to implement committee recommendations regarding the State Department of Health facilities.

ATTACH:2

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Tuesday, the fifth day of January,
one thousand nine hundred and ninety-nine**

HOUSE BILL NO. 1004
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the state department of health; to provide for legislative intent; and to provide for a legislative council study.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the state department of health for the purpose of defraying the expenses of its various divisions, for the biennium beginning July 1, 1999, and ending June 30, 2001, as follows:

Salaries and wages	\$26,162,622
Operating expenses	15,315,557
Equipment	1,321,678
Capital improvements	40,446
Grants	23,984,130
WIC food payments	<u>18,226,930</u>
Total all funds	\$85,051,363
Less estimated income	<u>70,595,319</u>
Total general fund appropriation	\$14,456,044

SECTION 2. ABANDONED MOTOR VEHICLE DISPOSAL FUND. The estimated income line item included in section 1 of this Act includes \$250,000, or so much of the sum as may be necessary, to be made available to the state department of health from the abandoned motor vehicle disposal fund under section 39-26-11 for the biennium beginning July 1, 1999, and ending June 30, 2001.

SECTION 3. ENVIRONMENT AND RANGELAND PROTECTION FUND. The estimated income line item included in section 1 of this Act includes \$200,000, or so much of the sum as may be necessary, to be made available to the state department of health from the environment and rangeland protection fund for the biennium beginning July 1, 1999, and ending June 30, 2001.

SECTION 4. DOMESTIC VIOLENCE FUND. The estimated income line item included in section 1 of this Act includes \$300,000, or so much of the sum as may be necessary, to be made available to the state department of health from the domestic violence fund for the biennium beginning July 1, 1999, and ending June 30, 2001.

SECTION 5. ENVIRONMENTAL HEALTH PRACTITIONER LICENSURE FEE ADMINISTRATIVE FUND. The estimated income line item included in section 1 of this Act includes \$2,000, or so much of the sum as may be necessary, to be made available to the state department of health from the environmental health practitioner licensure fee administrative fund for the biennium beginning July 1, 1999, and ending June 30, 2001.

SECTION 6. WASTEWATER OPERATORS CERTIFICATION FUND. The estimated income line item included in section 1 of this Act includes \$12,017, or so much of the sum as may be necessary, to be made available to the state department of health from the wastewater operators certification fund for the biennium beginning July 1, 1999, and ending June 30, 2001.

SECTION 7. DEPARTMENT OF HEALTH - INDIRECT COST RECOVERIES.

Notwithstanding section 54-44.1-15, the state department of health may deposit indirect cost recoveries in its operating account.

SECTION 8. LEGISLATIVE COUNCIL STUDY LABORATORY SPACE AND STATE MORGUE.

The state department of health shall develop a master plan for its facilities; shall develop a definitive plan and firm cost estimates for upgrading the department's laboratory facilities, for providing a state morgue for the state medical examiner, and for bringing the department's facilities into compliance with applicable building code requirements; and shall submit the plans to the legislative council during the 1999-2000 interim. The legislative council shall study the plans submitted by the state department of health and shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-seventh legislative assembly.

SECTION 9. LEGISLATIVE COUNCIL STUDY COMMUNITY HEALTH GRANT PROGRAM.

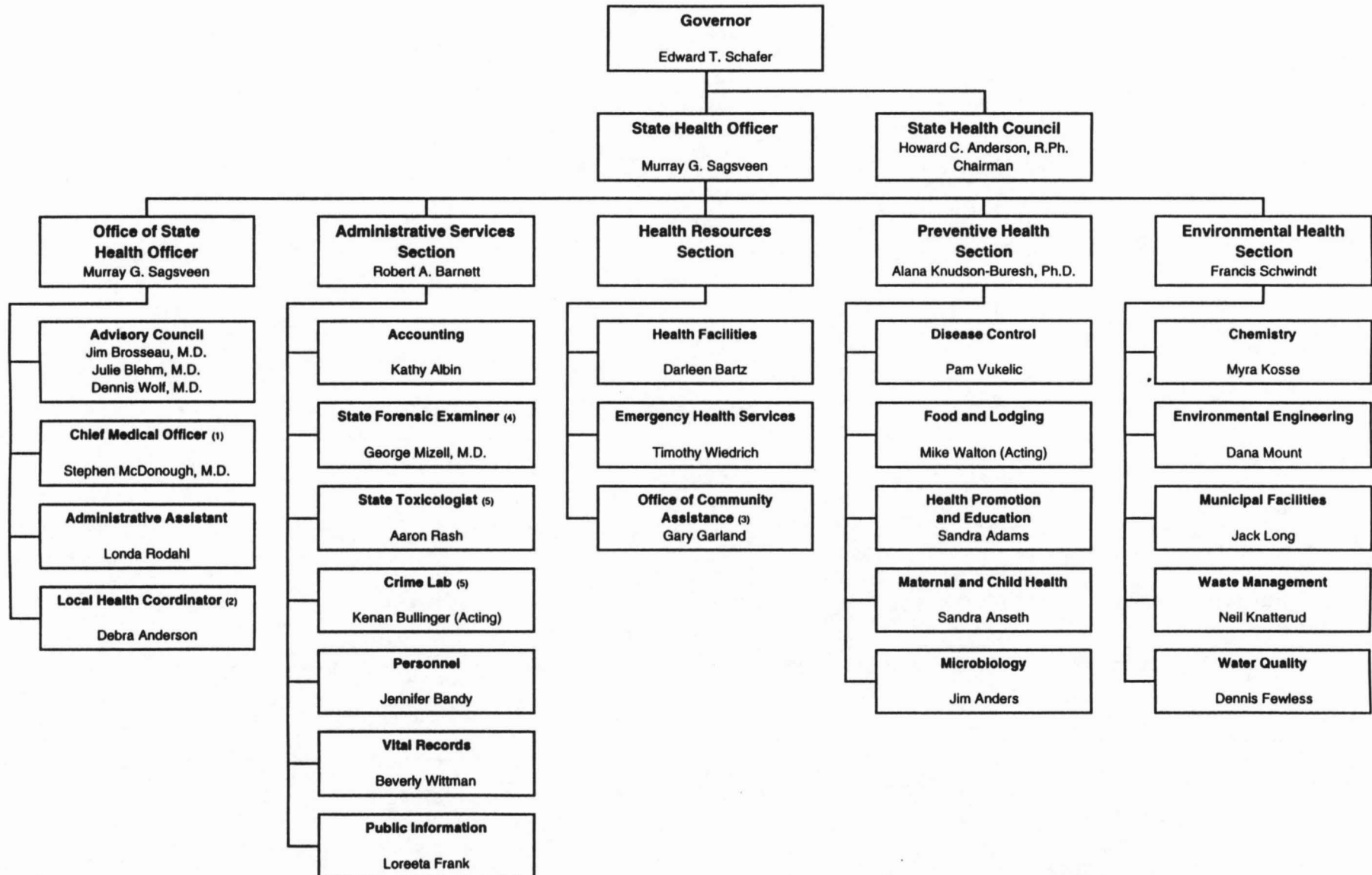
The state department of health shall develop a comprehensive plan for a community health grant program and shall submit the plan to the legislative council during the 1999-2000 interim. The legislative council shall study the plan submitted by the state department of health and shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-seventh legislative assembly.

SECTION 10. LEGISLATIVE INTENT - STATE AID TO LOCAL HEALTH DISTRICTS.

It is the intent of the legislative assembly that the state department of health provide aid to local health districts grants during the biennium beginning July 1, 1999, and ending June 30, 2001, totaling \$1,100,000 and that the additional \$100,000 necessary to fund that level be found by the department within its appropriation.

NORTH DAKOTA DEPARTMENT OF HEALTH
October 6, 1998

MAY 27 1999



(1) Coordination with local public health officers
 (2) Coordination with local public health administrators
 (3) Coordination with Center for Rural Health
 (4) Coordination with county coroners
 (5) Coordination with law enforcement