

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2004

Page 1, line 2, after "reenact" insert "sections 43-28.1-01 and 43-28.1-03 and"

Page 1, line 3, after the first "to" insert "the dentists loan repayment program, criteria to be used in selecting qualified dentists, and"

Page 1, line 4, after the semicolon insert "to provide a statement of legislative intent; to provide for a report to the legislative management;"

Page 1, line 14, remove lines 14 through 23

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$62,805,918	\$443,903	\$63,249,821
Operating expenses	40,598,335	(2,959,050)	37,639,285
Capital assets	2,895,232	551,508	3,446,740
Grants	57,096,760	2,787,181	59,883,941
Tobacco prevention	6,910,177	6,736,527	13,646,704
Women, infants, and children food payments	20,200,000	0	20,200,000
Medical marijuana	0	1,560,770	1,560,770
Total all funds	\$190,506,422	\$9,120,839	\$199,627,261
Less estimated income	<u>141,970,854</u>	<u>14,373,200</u>	<u>156,344,054</u>
Total general fund	\$48,535,568	(\$5,252,361)	\$43,283,207
Full-time equivalent positions	365.00	(3.00)	362.00

SECTION 2. HEALTH INSURANCE INCREASE. The salaries and wages line item, tobacco prevention line item, and medical marijuana line item in section 1 of this Act include the sum of \$1,002,131, of which \$529,839 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, replace lines 11 through 14 with:

"Medical marijuana	0	95,066
Total all funds	\$2,536,110	\$1,834,286
Less estimated income	<u>2,200,110</u>	<u>1,834,286</u>
Total general fund	\$336,000	\$0"

Page 3, line 5, replace "\$11,078,195" with "\$12,878,195"

Page 3, after line 6, insert:

"SECTION 9. STATEMENT OF LEGISLATIVE INTENT - MEDICAL MARIJUANA. It is the intent of the sixty-fifth legislative assembly that chapter 19-24.1 of the North Dakota Century Code, as created in Senate Bill No. 2344, be treated as an amendment to initiated measure No. 5 as adopted at the general election in 2016, and therefore an amendment to or repeal of chapter 19-24.1 before December 8, 2023, is subject to the requirements of section 8 of article III of the Constitution of North Dakota.

SECTION 10. AMENDMENT. Section 43-28.1-01 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-01. Loan repayment program - Dentists - Defined need - Maximum amount of funds.

~~Each year~~Annually, the state health council shall select, from a pool of applicants, dentists who ~~shall~~will provide dental services in cities or surrounding areas, or both, in this state which the state health council identifies as having a defined need for dental services. The dentists selected from this pool of applicants ~~may include dentists who will~~shall agree to accept medical assistance patients and assignments or provide dental services in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic. ~~The dentists are~~A selected dentist who agrees to the terms of this program is eligible to receive funds for the repayment of ~~their~~the dentist's education loans. The funds, which are payable over a five-year period, may not exceed one hundred thousand dollars per applicant. If the state health council accepts any gifts, grants, or donations under this chapter, the council may select additional dentists for participation in the loan repayment program under this chapter.

SECTION 11. AMENDMENT. Section 43-28.1-03 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-03. Criteria.

1. The health council shall establish criteria to be used in selecting qualified dentists and in identifying cities or surrounding areas, or both, that have a defined need for dental services. The criteria must include consideration of:
 - a. The number of dentists already providing dental services in the city or surrounding areas, or both;
 - b. Access to dental services in the city and the surrounding areas;
 - c. How the dentist will provide dental services to individuals on medical assistance or in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic; and
 - d. The dentist's training in general dentistry or in a dental specialty and the extent to which such services are needed in the identified city or surrounding areas, or both.
2. As a term of receipt of funds under this chapter, a dentist shall accept medical assistance patients and assignments or provide dental services in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic. For purposes of a dentist selected for loan payment under this chapter who practices within fifteen miles [24.14 kilometers] of the city limits of one of the three largest cities in the state, to qualify to receive a yearly disbursement under this chapter during that year of obligated service, the dentist must have:
 - a. Received dental medical payments of at least twenty thousand dollars in the form of medical assistance reimbursement; or
 - b. Practiced at least two full workdays per week at a public health clinic or at a nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental clinic's patients.

- The health council may consult with public and private sector entities in establishing criteria and evaluating needs based on the criteria."

Page 4, after line 3, insert:

"SECTION 14. COMPREHENSIVE TOBACCO CONTROL ADVISORY COMMITTEE RECORDS TRANSFER. As of July 1, 2017, all business-related records belonging to the comprehensive tobacco control advisory committee must be transferred to the state department of health. The comprehensive tobacco control advisory committee shall allow the state department of health to have access to the business-related records of the committee before July 1, 2017, as necessary, for the purpose of transitioning operations to the state department of health.

SECTION 15. STATEWIDE TOBACCO PREVENTION AND CONTROL PLAN - IMPLEMENTATION - EVALUATION - REPORT TO LEGISLATIVE MANAGEMENT. By July 31, 2017, the state department of health shall develop a statewide tobacco prevention and control plan that is consistent with the five components of the centers for disease control and prevention best practices for comprehensive tobacco control programs. At least once during the 2017-19 biennium, the state department of health shall provide for an independent review of the tobacco prevention and control plan to evaluate the effectiveness of the plan and its implementation. Any costs related to the independent review are provided in the tobacco prevention line item in section 1 of this Act and may be paid from the tobacco prevention and control trust fund. The department shall report the results of the independent review to the legislative management."

Page 4, line 5, after "1" insert "and section 14"

Page 4, line 5, replace "is" with "are"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2004 - State Department of Health - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$62,805,918	\$64,416,107	(\$1,166,286)	\$63,249,821
Operating expenses	40,598,335	38,394,458	(755,173)	37,639,285
Capital assets	2,895,232	3,446,740		3,446,740
Grants	57,096,760	56,135,670	3,748,271	59,883,941
Tobacco prevention	6,910,177	12,147,741	1,498,963	13,646,704
WIC food payments	20,200,000	20,200,000		20,200,000
Medical marijuana		6,236,376	(4,675,606)	1,560,770
Total all funds	\$190,506,422	\$200,977,092	(\$1,349,831)	\$199,627,261
Less estimated income	141,970,854	155,888,204	455,850	156,344,054
General fund	\$48,535,568	\$45,088,888	(\$1,805,681)	\$43,283,207
FTE	365.00	377.00	(15.00)	362.00

Department No. 301 - State Department of Health - Detail of House Changes

	Adjusts Funding for Health Insurance Increases ¹	Removes 8 FTE Positions Agencywide ²	Reduces Funding for Operating Expenses Agencywide ³	Removes 7 FTE Medical Marijuana Positions and Adjusts Funding ⁴	Adds Funding for Federal Ebola Grant ⁵	Adds Funding for Volkswagon Corporation Settlement Proceeds ⁶
Salaries and wages	(\$98,894)	(\$1,067,392)				

Operating expenses			(850,000)		94,827	
Capital assets						
Grants					948,271	2,500,000
Tobacco prevention	(1,037)					
WIC food payments						
Medical marijuana	(21,278)			(4,654,328)		
Total all funds	(\$121,209)	(\$1,067,392)	(\$850,000)	(\$4,654,328)	\$1,043,098	\$2,500,000
Less estimated income	(66,608)	(433,077)	(680,000)	(3,707,563)	1,043,098	2,500,000
General fund	(\$54,601)	(\$634,315)	(\$170,000)	(\$946,765)	\$0	\$0
FTE	0.00	(8.00)	0.00	(7.00)	0.00	0.00

	Adds Funding for Domestic Violence Offender Treatment Grants⁷	Adds Funding for Tobacco Cessation Products⁸	Adds Funding for Local Public Health Unit Tobacco Prevention and Control Grants⁹	Total House Changes
Salaries and wages				(\$1,166,286)
Operating expenses				(755,173)
Capital assets				
Grants	300,000			3,748,271
Tobacco prevention		500,000	1,000,000	1,498,963
WIC food payments				
Medical marijuana				(4,675,606)
Total all funds	\$300,000	\$500,000	\$1,000,000	(\$1,349,831)
Less estimated income	300,000	500,000	1,000,000	455,850
General fund	\$0	\$0	\$0	(\$1,805,681)
FTE	0.00	0.00	0.00	(15.00)

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month.

² Eight FTE positions are removed, including related funding for salaries and wages.

³ Funding for operating expenses is reduced agencywide.

⁴ Seven FTE medical marijuana positions are removed and funding is adjusted based on the fiscal note for Senate Bill No. 2344, as approved by the House, to provide a total of 6 FTE positions and total funding of \$1,560,770, of which \$723,270 is from the general fund and \$837,500 is from the compassionate care fund.

⁵ Funding is added for a federal Ebola grant anticipated to be received by the department.

⁶ Funding is added for grants from special funds resulting from a settlement agreement between the United States Department of Justice and the Volkswagen Corporation related to emissions. The State Department of Health has been designated to receive the funds by the Governor's office.

⁷ Funding is provided from the tobacco prevention and control trust fund for domestic violence offender treatment grants.

⁸ Funding is provided from the tobacco prevention and control trust fund for tobacco cessation products.

⁹ Funding is provided from the tobacco prevention and control trust fund for grants to local public health units for tobacco prevention and control programs to provide a total of \$6.5 million for tobacco prevention grants to local public health units.

This amendment also:

- Adds a section to identify additional funding provided for health insurance increases.
- Amends the section related to funding from the tobacco prevention and control trust fund to provide \$12,878,195 from the tobacco prevention and control trust fund to the State Department of Health for tobacco prevention and related health programs.
- Adds a section of legislative intent that Chapter 19-24.1 related to medical marijuana, as created by Senate Bill No. 2344, be subject to the requirements of Section 8 of Article III of the Constitution of North Dakota until December 8, 2023.
- Adds a section to require, as of July 1, 2017, all business-related records belonging to the Comprehensive Tobacco Control Advisory Committee shall be transferred to the State Department of Health. The State Department of Health to have access to the business-related records of the Comprehensive Tobacco Control Advisory Committee prior to July 1, 2017, for the purposes of transitioning the operations to the State Department of Health.
- Adds a section to provide that by July 31, 2017, the State Department of Health develop a statewide tobacco prevention and control plan that is consistent with the five components of the Centers for Disease Control and Prevention Best Practices for Comprehensive Tobacco Control Programs. At least once during the 2017-19 biennium, the State Department of Health must provide for an independent review of the tobacco prevention and control plan to evaluate the effectiveness of the plan and its implementation. Any costs related to the independent review are included in the tobacco prevention control line item and may be paid from the tobacco prevention and control trust fund. The department must report the results of the review to the Legislative Management.
- Adds sections to amend North Dakota Century Code Sections 43-28.1-01 and 43-28.1-03 related to the dentists loan repayment program and criteria to be used in selecting qualified dentists.
- Provides the section related to the transfer of records from the Comprehensive Tobacco Control Advisory Committee to the State Department of Health is an emergency measure.