

**State Department of Health
Budget No. 301
House Bill Nos. 1004, 1041, 1044, 1266, Senate Bill No. 2276**

	FTE Positions	General Fund	Other Funds	Total
2011-13 executive budget (bills as introduced)	343.50	\$28,080,556	\$158,456,189	\$186,536,745
2011-13 legislative appropriations	344.00	34,013,780	160,948,753	194,962,533
Legislative increase (decrease) to executive budget	0.50	\$5,933,224	\$2,492,564	\$8,425,788
Legislative increase (decrease) to 2009-11 appropriations	0.50	\$6,782,115	(\$17,079,778)	(\$10,297,663)

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 legislative appropriations	\$23,155,294	\$4,076,371	\$27,231,665
2011-13 legislative appropriations	32,913,780	1,100,000	34,013,780
2011-13 legislative increase (decrease) to 2009-11 appropriations	\$9,758,486	(\$2,976,371)	\$6,782,115
Percentage increase (decrease) to 2009-11 appropriations	42.1%	(73.0%)	(24.9%)
2011-13 legislative increase (decrease) to executive budget	\$5,108,224	\$825,000	\$5,933,224
Percentage increase (decrease) to executive budget	18.4%	300.0%	21.1%

SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET AND MAJOR FUNDING ITEMS

Salaries and Wages

The legislative action affecting the recommended appropriation for the State Department of Health is in accordance with legislative salary and fringe benefits guidelines as contained in Senate Bill No. 2015.

	Major Items FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Removed funding from federal funds for Women's Way care coordination.			(\$500,000)	(\$500,000)
Changed the funding source of the Women's Way program to provide \$400,500 from the community health trust fund.		(\$400,500)	400,500	0
Removed one-time funding included in the executive budget for a regional health network incentive grant.		(275,000)		(275,000)

Removed federal funding for the following health care reform programs:		(1,795,112)	(1,795,112)								
• Abstinence program funding - \$182,100.											
• Public health infrastructure program funding - \$200,000.											
• Home visiting program funding - \$1,413,012.											
Removed salary equity funding for air quality and environmental engineers.	(70,000)		(70,000)								
Increased funding for operating expenses to purchase vaccines under a vaccine ordering program.		3,600,000	3,600,000								
Increased grants to local public health units to provide a total of \$3 million from the general fund.	600,000		600,000								
Added funding for grants to continue the Safe Havens supervised visitation and exchange program.	425,000		425,000								
Removed 1 FTE position for injury prevention, but did not remove the funding and provided the department may transfer 1 FTE position from tobacco prevention.	(1.00)										
Adjusted \$523,900 of funding from the general fund added in the executive budget to replace reduced federal funding available through the Department of Transportation for services provided to ambulances and for the statewide trauma program. Funding from the Department of Transportation and funding from the general fund for emergency medical services grants was used to replace funding from the general fund and total funding was reduced by \$24,100 to provide a total of \$499,800 for the statewide trauma program as follows:	(448,900)	124,800	(324,100)								
<table border="1" data-bbox="107 997 831 1122"> <tr> <td>Transfer from emergency medical services grants line</td> <td>\$300,000</td> </tr> <tr> <td>Department of Transportation</td> <td>124,800</td> </tr> <tr> <td>General fund</td> <td>75,000</td> </tr> <tr> <td>Total</td> <td>\$499,800</td> </tr> </table>				Transfer from emergency medical services grants line	\$300,000	Department of Transportation	124,800	General fund	75,000	Total	\$499,800
Transfer from emergency medical services grants line	\$300,000										
Department of Transportation	124,800										
General fund	75,000										
Total	\$499,800										
Added a \$500,000 contingent appropriation from the general fund and authorization for a \$500,000 line of credit with the Bank of North Dakota to provide one-time funding for costs associated with litigation and other administrative proceedings involving the United States Environmental Protection Agency.	500,000	500,000	1,000,000								
Changed the funding source for heart disease and stroke prevention grants from the community health trust fund to the general fund.	222,624	(222,624)	0								
Added one-time funding to provide matching funds for an ST-elevated myocardial infarction (STEMI) response program.	600,000		600,000								

Added funding to provide for a public water system operator certification and training program and to reimburse operators of eligible public water systems in communities with a population of 3,300 or less for certification and training expenses.		180,000		180,000
Added funding from special or federal funds for a performance audit of the Family Health Division of the State Department of Health.			100,000	100,000
Added one-time funding from the health care trust fund to establish a nurse aide registry (\$155,000) and funding from the State Department of Health operating fund (\$130,000) and a 1.5 FTE position to maintain a nurse aide registry (House Bill No. 1041).	1.50		285,000	285,000
Added funding for state assistance grants to emergency medical services operations and related administrative costs (House Bill No. 1044).		3,000,000		3,000,000
Added funding to support a comprehensive state trauma system (House Bill No. 1266).		100,000		100,000
Added funding for the State Department of Health to purchase vaccines through the federal vaccine purchasing contract (Senate Bill No. 2276).		1,500,000		1,500,000
Total	<u>0.50</u>	<u>\$5,933,224</u>	<u>\$2,492,564</u>	<u>\$8,425,788</u>

FTE Changes

The Legislative Assembly authorized 344 FTE positions for the 2011-13 biennium, an increase of a .5 FTE position from the 2009-11 biennium authorized level of 343.5. The Legislative Assembly removed 1 FTE injury prevention position included in the executive recommendation and provided the department may transfer 1 FTE position from tobacco prevention into the position. The Legislative Assembly also added a 1.5 FTE nurse aide registry position.

One-Time Funding

In Section 2 of House Bill No. 1004, the Legislative Assembly identified \$600,000 of one-time funding from the general fund for a STEMI response program grant and \$3,492,228 of one-time funding from federal fiscal stimulus funds for the following programs:

Immunization programs	\$528,207
Health care-associated infections	80,328
Healthy communities	113,166
Arsenic trioxide	2,000,000
Water quality 604(b)	50,000
Clean water state revolving loan fund	360,156
Drinking water state revolving loan fund	318,101
Primary care	42,270
Total	\$3,492,228

The Legislative Assembly also provided a \$500,000 contingent general fund appropriation to the State Department of Health for expenses associated with possible litigation and other administrative proceedings involving the United States Environmental Protection Agency which is considered to be one-time funding. These amounts are not to be considered part of the agency's base budget for preparing the 2013-15 executive budget, and the State Department of Health is to report to the Appropriations Committees during the 2013 legislative session on the use of this funding.

Tobacco Prevention and Control Funding

House Bill No. 1004 provides a total tobacco prevention appropriation of \$6,162,396, of which \$3,510,496 is from the community health trust fund and \$2,651,900 is from federal funds. Funding from the community health trust fund provides for community health tobacco programs, the Tobacco Quitline, and a tobacco prevention coordinator. This funding is in addition to \$12,922,614 provided from the tobacco prevention and control trust fund to the Tobacco Prevention and Control Committee.

Other Sections in Bill

Environment and rangeland protection fund - Section 3 authorizes \$272,310 from the environment and rangeland protection fund for ground water testing programs. Of this amount, \$50,000 is for a grant to the North Dakota Stockmen's Association for the environmental services program.

Safe Havens supervised visitation and exchange program - Section 4 provides the State Department of Health use \$425,000 of the 2011-13 legislative appropriation for grants to continue the Safe Havens supervised visitation and exchange program for centers meeting eligibility standards in effect during the 2009-11 biennium.

Litigation and administrative proceedings - Section 5 provides, as an emergency measure, a \$500,000 contingent appropriation from the general fund and authorization for a \$500,000 line of credit with the Bank of North Dakota to provide funding for costs associated with litigation and other administrative proceedings involving the United States Environmental Protection Agency. The department may spend the general fund money and access the line of credit only upon approval by the Attorney General and must report quarterly to the Budget Section during the 2011-12 interim regarding the status of any litigation or other administrative proceedings.

Indirect cost recoveries - Section 6 allows the State Department of Health to deposit indirect cost recoveries from federal programs and special funds in its operating account.

Suicide prevention program - Section 7 provides legislative intent that the State Department of Health work in conjunction with the Indian Affairs Commission to develop, implement, and coordinate a suicide prevention program, including outreach, education, and administration of grants for suicide prevention activities.

Regional public health network pilot project study - Section 8 provides for a Legislative Management study of a regional public health network pilot project conducted during the 2009-11 biennium, including services provided, effects of the project on participating local public health units, efficiencies achieved in providing services, cost-savings to state and local governments, and possible improvements to the program.

Family Health Division performance audit - Section 9 requires the State Auditor to contract for a performance audit of the Family Health Division of the State Department of Health during the 2011-13 biennium. The State Auditor may bill the State Department of Health for costs associated with the performance audit. The Legislative Assembly provided \$100,000 from special or federal funds for the performance audit. The results of the performance audit must be presented to the Legislative Audit and Fiscal Review Committee and filed with the Appropriations Committees of the 63rd Legislative Assembly.

Related Legislation

Nurse aide registry - House Bill No. 1041 directs the State Department of Health to establish and administer a nurse aide registry for the registration and regulation of certified nurse aides, home health aides, medication assistants, and nurse aides. The bill appropriates \$155,000 from the health care trust fund to the department to establish the nurse aide registry and \$130,000 from the State Department of Health operating fund and a 1.5 FTE position to the department to maintain the nurse aide registry.

Emergency medical services - House Bill No. 1044 repeals the law enacted in 2007 which provided for emergency medical services allocations and for a state strategic plan that included an integrated emergency medical services program and a comprehensive statewide emergency medical services system; creates an Emergency Medical Services Advisory Council to advise the State Department of Health on the state plan for integrated emergency medical services, development of emergency medical services funding areas, development of the emergency medical services funding areas application process and budget criteria, and other issues relating to emergency medical services; directs the State Department of Health to establish and update a plan for integrated emergency medical services in this state which includes designation of emergency medical services funding areas; provides emergency medical services operations that request financial assistance from the state must provide requested fiscal information to the State Department of Health for use in financial assistance determinations; and directs the State Department of Health to distribute state financial assistance for emergency medical services. The bill appropriates \$3 million from the general fund to the State Department of Health for state assistance grants to emergency medical services operations and related administrative costs.

Comprehensive state trauma system - House Bill No. 1266 authorizes the State Health Officer to appoint an emergency medical services and trauma medical director to provide medical oversight and consultation in the development and administration of the state emergency medical services and trauma systems. The bill appropriates \$100,000 from the general fund to the State Department of Health for the support of the comprehensive state trauma system as follows:

Advanced trauma life support training	\$20,000
Trauma designation site visits	30,000
Contracted emergency medical services and trauma medical director	50,000
Total	\$100,000

Abortion information and reporting - House Bill No. 1297 expands the abortion-related information that must be included in the printed materials that are provided by the State Department of Health and provides for additional reporting requirements for the State Department of Health.

Immunization of minors - Senate Bill No. 2035 authorizes a pharmacist to administer an immunization or vaccination by injection to an individual who is at least 11 years of age and to administer an influenza vaccination to an individual who is at least 5 years of age. The bill also clarifies the administration of a drug by injection by a pharmacist may be made upon the order of a physician assistant.

Dental practice grant program - Senate Bill No. 2146 provides that the community matching grant requirement under the new dental practice grant program may be monetary or in-kind.

Umbilical cord blood donation information - Senate Bill No. 2215 directs the State Department of Health to prepare a pamphlet that includes information regarding collection of umbilical cord blood.

Provider Choice immunization program - Senate Bill No. 2276 directs the State Department of Health to implement a provider choice system that allows health care providers that participate in the state's Vaccines for Children program to select any licensed vaccine and the State Department of Health is to establish a program through which the department purchases vaccines through the federal vaccine purchasing contract to supply public health units with the purchased vaccines. The bill appropriates \$1.5 million from the general fund to the State Department of Health to purchase vaccines through the federal vaccine purchasing contract during the 2011-13 biennium.

Veterinarian loan repayment program - Senate Bill No. 2341 modifies the veterinarian loan repayment program to remove the limit on the number of recipients accepted into the program, provide the program is limited by the funds available to support the program, and remove the priority given to applicants who have not received state-funded student support fees.