

1 **LOCAL HEALTH DEPARTMENTS EMERGENCY FUNDING**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Paul Ray**

5 Senate Sponsor: Evan J. Vickers

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions related to local health department funding for a local health
10 emergency.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ allows a local health department to determine whether an event is considered a local
14 health emergency.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **26-1-38**, as last amended by Laws of Utah 2013, Chapter 167

22 **63J-1-602.1**, as last amended by Laws of Utah 2014, Chapter 384

24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section **26-1-38** is amended to read:

26 **26-1-38. Local health emergency assistance program.**

27 (1) As used in this section:

28 (a) "Local health department" [~~has the same meaning as~~] means the same as that term
29 is defined in Section 26A-1-102.

30 (b) "Local health emergency" means an unusual event or series of events causing or
31 resulting in a substantial risk or substantial potential risk to the health of a significant portion
32 of the population within the boundary of a local health department, as determined by the local
33 health department.

34 (c) "Program" means the local health emergency assistance program that the
35 department is required to establish under this section.

36 (d) "Program fund" means money that the Legislature appropriates to the department
37 for use in the program and other money otherwise made available for use in the program.

38 (2) The department shall establish, to the extent of funds appropriated by the
39 Legislature or otherwise made available to the program fund, a local health emergency
40 assistance program.

41 (3) Under the program, the department shall:

42 (a) provide a method for a local health department to seek reimbursement from the
43 program fund for local health department expenses incurred in responding to a local health
44 emergency;

45 (b) require matching funds from any local health department seeking reimbursement
46 from the program fund;

47 (c) establish a method for apportioning money in the program fund to multiple local
48 health departments when the total amount of concurrent requests for reimbursement by
49 multiple local health departments exceeds the balance in the program fund; and

50 (d) establish by rule other provisions that the department considers necessary or
51 advisable to implement the program.

52 (4) (a) (i) Subject to Subsection (4)(a)(ii), the department shall use money in the
53 program fund exclusively for purposes of the program.

54 (ii) The department may use money in the program fund to cover its costs of
55 administering the program.

56 (b) Money that the Legislature appropriates to the program fund is nonlapsing in
57 accordance with Section [63J-1-602.1](#).

58 (c) Any interest earned on money in the program fund shall be deposited to the General
59 Fund.

60 Section 2. Section **63J-1-602.1** is amended to read:

61 **63J-1-602.1. List of nonlapsing accounts and funds -- General authority and Title**
62 **1 through Title 30.**

63 (1) Appropriations made to the Legislature and its committees.

64 (2) The Percent-for-Art Program created in Section [9-6-404](#).

65 (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in
66 Section [9-18-102](#).

67 (4) The LeRay McAllister Critical Land Conservation Program created in Section
68 [11-38-301](#).

69 (5) An appropriation made to the Division of Wildlife Resources for the appraisal and
70 purchase of lands under the Pelican Management Act, as provided in Section [23-21a-6](#).

71 (6) Award money under the State Asset Forfeiture Grant Program, as provided under
72 Section [24-4-117](#).

73 (7) Funds collected from the program fund for local health department expenses
74 incurred in responding to a local health emergency under Section [26-1-38](#).

75 [~~7~~] (8) Funds collected from the emergency medical services grant program, as
76 provided in Section [26-8a-207](#).

77 [~~8~~] (9) The Prostate Cancer Support Restricted Account created in Section
78 [26-21a-303](#).

79 [~~9~~] (10) State funds appropriated for matching federal funds in the Children's Health
80 Insurance Program as provided in Section [26-40-108](#).

81 [~~10~~] (11) The Utah Health Care Workforce Financial Assistance Program created in
82 Section [26-46-102](#).

83 [~~11~~] (12) The primary care grant program created in Section [26-10b-102](#).