

Act No. 201
Public Acts of 1994
Approved by the Governor
June 20, 1994
Filed with the Secretary of State
June 21, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senators Gast and Schwarz

ENROLLED SENATE BILL No. 991

AN ACT to make appropriations for the department of public health for the fiscal year ending September 30 1995 to provide for the expenditure of those appropriations to provide for reports to prescribe certain powers and duties of the department of public health and to provide for the disposition of fees and other income received by the department of public health

The People of the State of Michigan enact

Sec 101 There is appropriated for the department of public health for the fiscal year ending September 30 1995 from the following funds

**DEPARTMENT OF PUBLIC HEALTH
APPROPRIATION SUMMARY**

Full time equated unclassified positions	6 0	
Full time equated classified positions	1 484 2	
GROSS APPROPRIATION	\$	607 098 600
Interdepartmental grant revenues		
Total interdepartmental grants and mtradepartmrtal transfers		23 457 400
ADJUSTED GROSS APPROPRIATION	\$	583 641 200
Federal revenues		
Total federal revenues		330 330 700
Special revenue funds		
Total local revenues		242 700
Total private revenues		35 385 400
Total local and private revenues		35 628 100
Total other state restricted revenues		40 474 500
State general fund/general purpose	\$	177 207 900

EXECUTIVE SERVICES

Full time equated unclassified positions	6 0	
Total full time equated positions	312 0	
Director	\$	87 300
Unclassified positions—5 0 FTE positions		265 900
Salaries and wages—78 5 FTE positions		3 326 100
Longevity and insurance		663 700
Retirement		986 400
Contractual services supplies and materials		279 900

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Travel	\$	43 700
Building occupancy charges		358 200
Equipment		1 016 200
Rent		600 200
Utilities		1 159 200
Worker s compensation		292 100
Federal contingency funds		15 000 000
Health planning—11 8 FTE positions		911 900
Joint DNR/DPH laboratory operations—8 0 FTE positions		944 600
Management information systems—67 9 FTE positions		6 883 500
Maternal and infant health data and evaluation—6 5 FTE positions		574 700
Minority health grants and contracts		650 000
Office of general services—61 5 FTE positions		3 554 900
Office of minority health—3 0 FTE positions		266 300
Vital records & health statistics—74 8 FTE positions		4 993 400
GROSS APPROPRIATION	\$	42 858 200
Appropriated from		
Interdepartmental grant revenues		
Interdepartmental grant from social services		50 000
Intradepartmental transfer automated data processing charges		3 867 100
Federal revenues		
Alcohol drug abuse and mental health block grant		156 600
Federal grants and contracts		15 783 200
Maternal and child health block grant		46 900
Medical assistance program title XIX		582 600
Medicare title XVIII		187 300
National center for health statistics		548 800
Occupational safety and health		269 800
Preventive health and health services block grant		650 000
Special supplemental food program for women infants and children		586 000
Special revenue funds		
Fees and collections		2 113 600
Michigan health initiative fund		148 000
State general fund/general purpose	\$	17 868 300
INFECTIOUS DISEASE CONTROL ADMINISTRATION		
Total full time equated positions	4 0	
Salaries and wages—4 0 FTE positions	\$	217 900
Longevity and insurance		44 400
Retirement		60 200
Contractual services supplies and materials		22 000
Travel		3 700
GROSS APPROPRIATION	\$	348 200
Appropriated from		
State general fund/general purpose	\$	348 200
INFECTIOUS DISEASE CONTROL		
Total full time equated positions	86 8	
AIDS counseling and testing	\$	3 467 400
AIDS education and outreach		1 912 600
AIDS program administration—13 0 FTE positions		973 400
AIDS referral and care network grants		4 931 200
AIDS surveillance and prevention program—16 0 FTE positions		2 783 300
Disease surveillance—4 0 FTE positions		356 800
Division administration—6 0 FTE positions		449 100
Immunization local agreements		14 904 000
Immunization program management and field support—11 0 FTE positions		1 756,200
Lyme disease grant—0 3 FTE positions		75 000
National vaccine compensation fund		5 854 200

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Sexually transmitted disease control local agreements	\$	2 205 700
Sexually transmitted disease control management and field support—32 0 FTE positions		2 298 800
Recalcitrant AIDS and tuberculosis aid		162 000
Tuberculosis control program—4 5 FTE positions		860 900
GROSS APPROPRIATION	\$	42 990 600

Appropriated from

Interdepartmental grant revenues		
Interdepartmental grant from social services		1 065 000
Federal revenues		
Federal grants and contracts		28 381 300
Maternal and child health block grant		640 200
Medical assistance program title XIX		1 347 400
Preventive health and health services block grant		500 000
Special revenue funds		
Local funds		242 700
Private funds		75 000
Michigan health initiative fund		4 483 400
Vaccine sales and processing revenue		2 416 800
State general fund/general purpose	\$	3 838 800

LABORATORY SERVICES

Total full time equated positions	138 6	
Salaries and wages—107 8 FTE positions	\$	3 839 900
Longevity and insurance		811 500
Retirement		1 051 700
Contractual services supplies and materials		1 748 600
Travel		28 600
EPSDT blood lead screening—6 0 FTE positions		643 500
Newborn genetic screening—24 8 FTE positions		1 691 800
GROSS APPROPRIATION	\$	9 815 600

Appropriated from

Interdepartmental grant revenues		
Interdepartmental grant from corrections		137 500
Interdepartmental grant from social services		643 500
Federal revenues		
Preventive health and health services block grant		150 000
Special revenue funds		
Fees and collections		2 736 400
State general fund/general purpose	\$	6 148 200

BIOLOGIC PRODUCTS

Total full time equated positions	130 5	
Salaries and wages—56 0 FTE positions	\$	2 143 500
Longevity and insurance		454 400
Retirement		585 300
Contractual services supplies and materials		895 500
Travel		10 200
Biologic products processing—67 0 FTE positions		7 951 500
Contracts for projects—7 5 FTE positions		1 052 900
GROSS APPROPRIATION	\$	13 093 300

Appropriated from

Interdepartmental grant revenues		
Interdepartmental grant from social services		55 400
Federal revenues		
ARMY contract		835 300
Federal grants and contracts		151 800
Medical assistance program title XIX		68 900
State and community highway safety		64 000

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Special revenue funds		
Red cross contract and processing revenues	\$	725 000
Biologic products sales and other revenues		7 845 000
State general fund/general purpose	\$	3 347 900

ENVIRONMENTAL HEALTH ADMINISTRATION AND SUPPORT SERVICES

Total full time equated positions	39 2	
Salaries and wages—5 0 FTE positions	\$	248 600
Longevity and insurance		46 300
Retirement		68 100
Contractual services supplies and materials		21 300
Travel		5 000
Health risk assessment—34 2 FTE positions		4 228 000
GROSS APPROPRIATION	\$	<u>4 617 300</u>

Appropriated from		
Interdepartmental grant revenues		
Interdepartmental grant from natural resources		460 000
Federal revenues		
Environmental protection agency grants		907 100
Federal grants and contracts		1 345 500
Special revenue funds		
Fees and collections		55 100
State general fund/general purpose	\$	1 849 600

COMMUNITY ENVIRONMENTAL HEALTH

Total full time equated positions	113 2	
Salaries and wages—97 2 FTE positions	\$	4 370 500
Longevity and insurance		914 900
Retirement		1 201 700
Contractual services supplies and materials		335 000
Travel		260 600
Implementation of environmental response act		10 500 000
Medical waste program—2 0 FTE positions		354 200
Migratory labor housing fund		75 000
Water laboratory certification program		165 000
Water supply program		169 600
Water system monitoring program—14 0 FTE positions		5 657 800
GROSS APPROPRIATION	\$	<u>24 004 300</u>

Appropriated from		
Interdepartmental grant revenues		
Interdepartmental grant from natural resources		10 500 000
Federal revenues		
Environmental protection agency grants		3 452 800
Special revenue funds		
Fees and collections		4 511 700
State general fund/general purpose	\$	5 539 800

OCCUPATIONAL HEALTH

Total full time equated positions	88 4	
Occupational health standards commission (\$50 per diem and related expenses)	\$	9 300
Salaries and wages—68 4 FTE positions		2 975 300
Longevity and insurance		609 400
Retirement		811 200
Contractual services supplies and materials		239 800
Travel		120 200
Asbestos and lead abatement program—10 0 FTE positions		2 359 500
Dry cleaning program—5 0 FTE positions		296 200
Employer/employee education and training—5 0 FTE positions		571 800
Occupational risk reporting system		165 800
GROSS APPROPRIATION	\$	<u>8 158 500</u>

Appropriated from		
Interdepartmental grant revenues		
Interdepartmental grant from labor	\$	320 100
Federal revenues		
Federal grants and contracts		1 895 800
Occupational safety and health		2 835 000
Special revenue funds		
Fees and collections		925 700
State general fund/general purpose	\$	2 181 900
RADIOLOGICAL HEALTH		
Total full time equated positions	41 6	
Salaries and wages—33 5 FTE positions	\$	1 258 800
Longevity and insurance		262 500
Retirement		346 600
Contractual services supplies and materials		126 500
Travel		76 500
Radiological health projects—8 1 FTE positions		757 500
GROSS APPROPRIATION	\$	<u>2 828 400</u>
Appropriated from		
Interdepartmental grant revenues		
Interdepartmental grant from commerce public service commission		575 400
Federal revenues		
Environmental protection agency grants		166 500
Medicare title XVIII		140 000
Nuclear regulatory commission		9 500
Special revenue funds		
Fees and collections		1 195 700
Sale of publications		4 500
State general fund/general purpose	\$	736 800
HEALTH SYSTEMS ADMINISTRATION		
Total full time equated positions	236 9	
Salaries and wages—210 7 FTE positions	\$	9 450 100
Longevity and insurance		1 710 900
Retirement		2 579 200
Contractual services supplies and materials		564 200
Travel		830 500
Administrative hearings—2 5 FTE positions		202 000
Clinical laboratory improvement—6 0 FTE positions		2 929 700
Emergency medical services program state staff—11 0 FTE positions		1 032 400
Fire safety inspection		175 000
Health facilities management information system		613 400
Local health services—4 9 FTE positions		136 700
Primary care services grant—1 8 FTE positions		164 800
Training and evaluation		76 500
GROSS APPROPRIATION	\$	<u>20 465 400</u>
Appropriated from		
Interdepartmental grant revenues		
Interdepartmental grant from treasury Michigan state hospital finance authority		93 400
Federal revenues		
Federal grants and contracts		625 700
Medical assistance program title XIX		4 429 200
State health care providers survey certification title XVIII		7 581 700
Special revenue funds		
Fees and collections		2 536 000
State general fund/general purpose	\$	5 199 400

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HEALTH SYSTEMS LOCAL GRANTS

Communities first	\$	191 000
Community health project		50 000
Emergency medical services grants and contracts		962 100
Indian health care		309 500
Local public health infrastructure		825 300
Michigan essential health care provider program		229 100
Primary care services		2 172 200
Refugee health program		142 300
Rural health grant		168 800
State/local cost sharing		32 187 300
GROSS APPROPRIATION	\$	37 237 600

Appropriated from

Interdepartmental grant revenues		
Interdepartmental grant from social services		190 000
Federal revenues		
Federal grants and contracts		270 500
Maternal and child health block grant		25 000
Preventive health and health services block grant		2 602 400
State and community highway safety		89 000
Special revenue funds		
Private funds		40 000
State general fund/general purpose	\$	34 020 700

CENTER FOR HEALTH PROMOTION

Total full time equated positions	56 7	
AIDS and risk reduction clearinghouse and media campaign	\$	1 700 000
Cancer prevention and control program—17 0 FTE positions		5 516 500
Center administration—4 0 FTE positions		310 900
Chronic disease prevention—2 5 FTE positions		1 608 200
Diabetes local agreements		227 400
Employee wellness program grants (includes \$50 00 per diem and expenses for the risk reduction and AIDS policy commission)		2 450 000
Health education promotion and research programs—23 0 FTE positions		1 532 200
Injury control intervention project—1 0 FTE positions		316 500
Public health traffic safety coordination—1 0 FTE positions		150 600
School health curriculum		2 000 000
School health education project		80 000
Smoking prevention program—3 2 FTE positions		1 477 100
Spinal cord and traumatic brain injury registry		50 000
Survey and analysis—5 0 FTE positions		455 600
Alzheimer's information network		150 000
GROSS APPROPRIATION	\$	18 025 000

Appropriated from

Federal revenues		
Diabetes control		208 000
Federal grants and contracts		7 368 700
Medical assistance program title XIX		69 200
Preventive health and health services block grant		1 507 800
State and community highway safety		135 900
Special revenue funds		
Private funds		17 500
Michigan health initiative fund		4 874 000
Sales of publications		45 000
State general fund/general purpose	\$	3 798 900

BUREAU OF CHILD AND FAMILY SERVICES

Total full time equated positions	98 8	
Salaries and wages—90 8 FTE positions	\$	3 973 500

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Longevity and insurance	\$	663 900
Retirement		1 044 100
Contractual services supplies and materials		1 315 800
Travel		175 400
Automated data processing		2 905 100
Special projects—8 0 FTE positions		1 618 800
GROSS APPROPRIATION	\$	11 696 600
Appropriated from		/
Federal revenues		
Family planning projects title X		590 400
Federal grants and contracts		1 455 800
Medical assistance program title XIX		1 009 300
Special supplemental food program for women infants and children		6 222 900
Special revenue funds		
Private funds		213 000
State general fund/general purpose	\$	2 205 200
CHILD AND FAMILY SERVICES GRANTS		
Adolescent health care services	\$	2 142 300
Dental programs		110 400
Early and periodic screening diagnosis and treatment outreach		4 800 000
Family planning local agreements		7 492 600
Lead paint program		491 800
Local MCH services		1 271 200
Maternity infant and children s health care local agreements		7 034 700
Migrant health care		166 100
Pregnancy prevention program		2 793 100
Prenatal care community demonstration projects		58 200
Prenatal care outreach and service delivery support		7 962 100
Sudden infant death syndrome program		121 300
Women infants and children program local agreements and food costs		137 491 700
Community resource services		25 000
GROSS APPROPRIATION	\$	171 960 500
Appropriated from		
Interdepartmental grant revenues		
Interdepartmental grant from department of social services		4 800 000
Federal revenues		
Family planning projects title X		4 046 300
Maternal and child health block grant		9 470 100
Medical assistance program title XIX		4 781 400
Preventive health and health services block grant		1 189 100
Special supplemental food program for women infants and children		104 159 200
Special revenue funds		
Private funds		532 400
Private WIC food program formula rebates		33 332 500
State general fund/general purpose	\$	9 649 500
CRIPPLED CHILDREN SERVICES		
Total full time equated positions	86 5	
Salaries and wages—84 5 FTE positions	\$	3 240 100
Longevity and insurance		689 700
Retirement		875 900
Contractual services supplies and materials		878 900
Travel		96 100
Amputee program		184 600
Bequests for care and services—2 0 FTE positions		804 600
Case management services		3 923 500
Conveyor contract		489 100

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Medical care and treatment	\$ 84 284 800
Pediatric AIDS prevention and control	582 200
Sickle cell and other genetic services	1 729 400
GROSS APPROPRIATION	\$ 97 778 900
Appropriated from	
Interdepartmental grant revenues	
Interdepartmental grant from mental health	700 000
Federal revenues	
Federal grants and contracts	582 200
Maternal and child health block grant	11 451 000
Medical assistance program title XIX	35 255 500
Special revenue funds	
Private bequests	450 000
Fees and collections	5 023 600
State general fund/general purpose	\$ 44 316 600
SUBSTANCE ABUSE PROGRAM ADMINISTRATION	
Total full time equated positions	51 0
Salaries and wages—38 5 FTE positions	\$ 1 471 800
Longevity and insurance	271 900
Retirement	402 600
Contractual services supplies and materials	136 500
Travel	72 800
Federal projects—12 5 FTE positions	1 352 200
GROSS APPROPRIATION	\$ 3 707 800
Appropriated from	
Federal revenues	
Alcohol drug abuse and mental health block grant	793 400
Federal grants and contracts	435 900
Special revenue funds	
State license and fine revenues	200 000
State general fund/general purpose	\$ 2 278 500
SUBSTANCE ABUSE GRANTS AND CONTRACTS	
Chemically dependent pregnant women and children program	\$ 2 100 000
Community substance abuse prevention education and treatment grants	62 629 100
Federal and other special projects	7 011 700
Highway safety projects	337 200
Medicaid reimbursement for substance abuse services	17 696 800
Program enhancement evaluation and data services	1 137 600
State disability assistance program substance abuse services	6 600 000
GROSS APPROPRIATION	\$ 97 512 400
Appropriated from	
Federal revenues	
Alcohol drug abuse and mental health block grant	45 017 200
Federal grants and contracts	6 996 700
Medical assistance program title XIX	10 058 900
State and community highway safety	200 000
Special revenue funds	
State license and fine revenues	1 360 000
State general fund/general purpose	\$ 33 879 600

GENERAL SECTIONS

Sec 201 (1) In accordance with the provisions of section 30 of article IX of the state constitution of 1963 total state spending from state resources in this bill is \$217 682 400 00 and state appropriations to be paid to units of local government in section 101 are as follows

DEPARTMENT OF PUBLIC HEALTH

Infectious Disease Control	
AIDS local counseling and testing	\$ 702 300
Local AIDS referral and care network grants	223 000
Immunization program	47 000
Tuberculosis aid	3 300
Sexually transmitted disease project	468 600
Community environmental health water system monitoring program	1 500 000
Center for Health Promotion	
Diabetes local agreements	41 600
Employee wellness grants program	1 226 000
School health curricula	2 000 000
Health Systems Local Grants	
Local public health infrastructure	825 300
State/local cost sharing	32 187 300
Refugee health program	30 000
Child and Family Services Grants	
Adolescent health care services	1 189 600
Family planning	1 735 000
Maternity infants and children health care local agreements	246 100
Pregnancy prevention program	612 300
Prenatal care outreach and service delivery support	2 200 000
Substance abuse services	19 870 700
Crippled Children Services	
Case management	1 263 300
Total	\$ 66 371 400

(2) When it appears to the principal executive officer of each department that state spending allocated to local units of government will be less than the amount that was projected to be expended for any quarter the principal executive officer shall immediately give notice of the approximate shortfall to the department of management and budget the senate and house appropriations committees and the senate and house fiscal agencies

Sec 202 The appropriations made and the expenditures authorized under this act and the departments agencies commissions boards offices and programs for which an appropriation is made under this act are subject to the management and budget act Act No 431 of the Public Acts of 1984 being sections 18 1101 to 18 1594 of the Michigan Compiled Laws

Sec 203 As used in this act

- (a) AIDS means acquired immunodeficiency syndrome
- (b) CHASS means community health and social services
- (c) Department or DPH means the department of public health
- (d) DNR means department of natural resources
- (e) EPSDT means early and periodic screening diagnosis and treatment
- (f) FTE means full time equated
- (g) Title XVIII means title XVIII of the social security act chapter 531 49 Stat 620 42 U S C 1395 to 1395b 1395b 2 1395c to 1395i 1395i 2 to 1395i 4 1395j to 1395t 1395u to 1395w 2 1395w 4 to 1395zz and 1395bbb to 1395ccc
- (h) Title XIX means title XIX of the social security act chapter 531 49 Stat 620 42 U S C 1396 to 1396d 1396f to 1396g and 1396i to 1396s
- (i) WIC means women infants and children

Sec 204 Basic health services for the fiscal year beginning October 1 1994 for the purpose of part 23 of the public health code Act No 368 of the Public Acts of 1978 being sections 333 2301 to 333 2321 of the Michigan Compiled Laws are those described by the department in its proposed program statement dated October 16 1981 and in the prenatal postpartum care proposed basic health service program statement included in the department document entitled A Study of Prenatal Care as a Basic Service dated March 1 1986 and for which the legislature has made funds available in amounts necessary to ensure their availability and accessibility or a subsequent list of services developed pursuant to proposed changes in the public health code Act No 368 of the Public Acts of 1978 should these changes become

effective during fiscal year 1994 95 The services described in the statement are immunizations communicable disease control venereal disease control tuberculosis control prevention of gonorrhea eye infection in newborns screening newborns for phenylketonuria screening newborns for hypothyroidism health/medical annex of emergency preparedness plan licensing and surveillance of agricultural labor camps and prenatal care If a subsequent service list is developed it shall be submitted to the members of the senate and house appropriations subcommittees on public health the senate and house fiscal agencies and the department of management and budget who will have 30 days to review and comment prior to implementation

Sec 205 The department shall provide a report on contractual services to the senate and house appropriations subcommittees on public health and the senate and house fiscal agencies quarterly The department shall base the report on the monthly civil service statewide contracted services report required by section 281 of the management and budget act Act No 431 of the Public Acts of 1984 being section 18 1281 of the Michigan Compiled Laws The department shall provide in the report the name of the contractor the dollar value of the contract description and location of the service to be provided and justification for the contract

Sec 206 (1) Beginning October 1 1994 there shall be a hiring freeze imposed on the state classified civil service State departments and agencies shall be prohibited from hiring any new full time state classified civil service employees or prohibited from filling any vacant state classified civil service positions This hiring freeze does not apply to internal transfers of classified employees from one position to another within a department or to positions that are funded with 80% or more federal or restricted funds

(2) The director of the department of management and budget shall grant exceptions to this hiring freeze when the director believes that such a hiring freeze will result in rendering a state department or agency unable to deliver basic services The director of the department of management and budget shall report by the fifteenth of each month to the chairpersons of the senate and house appropriations committees the number of exclusions to the hiring freeze approved during the previous month and the reasons to justify the exclusion

Sec 207 If the revenue collected by the department from fees and collections exceeds the amount appropriated in section 101 the revenue may be carried forward into the subsequent fiscal year The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year

Sec 208 The department shall not transfer amounts to the communities first pilot projects line item described in section 101 from any other funds described in section 101 except as provided in section 393(2) of the management and budget act Act No 431 of the Public Acts of 1984 being section 18 1393 of the Michigan Compiled Laws A transfer authorized under this section shall be used to fund a communities first pilot project or projects

Sec 209 The department shall not pay for a billing received from a contractor or service provider that is submitted more than 12 months after the bill for good or service is provided

Sec 210 Funds appropriated in section 101 shall not be used for the purchase of foreign goods and/or services if competitively priced American goods and/or services of comparable quality are available

Sec 211 The department shall establish an FTE position vacancy accumulated funds account The department shall transfer into the FTE position vacancy accumulated funds account at the end of each quarter any funds remaining unspent for personnel and related costs for vacancies A report on the amount transferred each quarter into the vacancy accumulated funds account and the cumulative total in the account shall be submitted to the house and senate appropriations committees and the house and senate fiscal agencies 15 days after the last pay period in each quarter

Sec 212 At the same time as a privatization elimination retention or modification analysis is submitted to the civil service commission for approval of a contract that will result in the loss of employment by classified state employees or otherwise substantially alters the delivery of a service central to the mission of the department the department shall submit a copy of the analysis to the house and senate appropriations committees If a collective bargaining agreement covering state employees described in this section requires prior notification the department shall submit the analysis to the appropriations committees on or before the date specified in that agreement The analysis shall include all of the following

- (a) The justification for privatizing or contracting the function or service
- (b) The estimated number of classified state employees potentially affected by the contract
- (c) The civil service criteria used to justify privatization
- (d) The projected cost savings from privatization if any including all of the following
- (e) Documentation that the savings meet the minimum criteria established by the civil service commission

(u) The cost of contract monitoring

(uu) The conversion cost associated with termination of state employees

(vv) The conversion revenue associated with the sale of an asset or service to the contractor

(v) Estimated net revenue lost to the state by privatizing the service or function

(vi) A demonstration that the service would be performed at substantial long term savings to the state when compared with the cost of performance of the service or function by classified state employees. The demonstration of substantial long term savings shall be consistent with criteria developed by the department of civil service.

Sec 213 (1) The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies or both for the department.

(2) The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies or both.

Sec 214 The source of funding for section 101 appropriations for the following: spinal cord and traumatic brain injury registries, Arab American Chaldean council and ACCESS primary care services, is the federal preventive health and health services block grant.

Sec 215 The department may contract with the Michigan public health institute for the design and implementation of projects and for other public health related activities prescribed in section 2611 of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.2611 of the Michigan Compiled Laws. The department may develop a master agreement with the institute for up to a 3 year period to carry out these purposes. The department shall report on projects to be carried out by the institute, expected project duration, and project cost by November 1, 1994 and May 1, 1995 to the house and senate appropriations subcommittees on public health, senate and house fiscal agencies, and the department of management and budget. For the purposes of this section, the Michigan public health institute shall be considered a public health agency.

EXECUTIVE SERVICES

Sec 301 None of the funds appropriated in section 101 in the line item identified as "Federal contingency funds" are available for expenditure until they have been transferred to another line item in this act pursuant to section 393 of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1393 of the Michigan Compiled Laws.

Sec 302 Of the amount appropriated in section 101 from revenues from fees and collections, not more than \$250,000.00 received from the sale of vital records death data shall be used for improvements in the vital records and health statistics program. The amount described in this section shall not revert to the general fund at the end of the fiscal year ending September 30, 1995. Not later than December 1, 1995, the amount of any unexpended balances and the proposed uses for those balances shall be reported to the department of management and budget, the members of the senate and house appropriations subcommittees on public health, and the senate and house fiscal agencies.

Sec 303 Before December 1, 1994, the department shall submit a list of projects by expenditure category to be supported with the funds appropriated in section 101 for maternal and infant health data and evaluation to the members of the senate and house appropriations subcommittees on public health, the senate and house fiscal agencies, and the department of management and budget. The list shall include a project that links birth outcomes to maternal participation in state funded maternal and child health programs.

INFECTIOUS DISEASE CONTROL

Sec 401 The department shall develop a plan to identify and meet the outstanding needs for immunization services in both rural and urban areas of the state for underserved populations. The plan shall be presented to the senate and house appropriations subcommittees on public health, and senate and house fiscal agencies, and the department of management and budget no later than April 1, 1995. Efforts shall be made to have input from the affected parties in the development and implementation of the plan.

Sec 402 State funds appropriated in any other account in section 101 may be used to supplant not more than \$350 000 00 in federal funds projected for immunization if the federal funds are unavailable The department shall inform the senate and house appropriations subcommittees on public health senate and house fiscal agencies and the department of management and budget of the specific line items reduced pursuant to this section

Sec 403 In the expenditure of funds appropriated in section 101 for AIDS programs the department and its subcontractors shall ensure that adolescents receive priority for prevention education and outreach services

Sec 404 In developing and implementing AIDS provider education activities the department may provide funding to the Michigan state medical society to continue to serve as lead agency to convene a consortium of health care providers to design needed educational efforts to fund other statewide provider groups and to assure implementation of these efforts in accordance with a plan approved by the department

Sec 405 If an employee of the department of corrections comes in contact with a prisoner and that contact involves the risk of exposure to the prisoner s blood or bodily fluids upon the employee s request the department shall inform the employee of the results of the prisoner s HIV test if known by the department

BIOLOGIC PRODUCTS

Sec 501 Given that the Michigan department of public health biologic products division has promoted the welfare and health of the public by providing a reliable source of several vaccines and biological products during times of national shortages when other manufacturers have decreased or halted production it is the intent of the legislature that the biologic products division represents an invaluable public community resource which should continue to be operated by the department of public health Any transfer or substantive alteration in the operation of the biologic products division shall require the review and approval of the legislature

COMMUNITY ENVIRONMENTAL HEALTH

Sec 601 The department shall review and certify laboratories used or intended for use in the testing of water from public water supplies in accordance with section 11 of the safe drinking water act Act No 399 of the Public Acts of 1976 being section 325 1011 of the Michigan Compiled Laws The department may contract with the national sanitation foundation international to assist in administering this section The department may charge a fee for the review and certification The review and certification fees charged by the department shall not exceed the fees charged by the national sanitation foundation international for laboratory accreditation before the effective date of this section The costs of the review and certification program shall not exceed the total amount collected from the fees

Sec 602 (1) The department shall not reimburse a claim by an operator of an agricultural labor camp pursuant to sections 12431 and 12432 of the public health code Act No 368 of the Public Acts of 1978 being sections 333 12431 and 333 12432 of the Michigan Compiled Laws from the amount appropriated in section 101 for migrant labor housing grants until that portion of the labor camp utilized for migrant housing is in compliance with all state statutes and rules pertaining to the licensure of migrant labor camps as determined by on site inspections both before and after occupancy

(2) The amount appropriated in section 101 for migrant labor housing grants expended by the department for remodeling projects shall only be expended on remodeling projects started after January 1 1987 The department of public health shall report before February 1 1995 to the department of management and budget the senate and house appropriations subcommittees on public health and the senate and house fiscal agencies on the utilization of the program and program expenditures The report shall include the name of each agricultural labor camp that received a grant the amount of the grant for each agricultural labor camp and any amount that was received by the agricultural labor camp from any other governmental unit

(3) The department shall report by April 1 1995 to the senate and house appropriations subcommittees on public health and the senate and house fiscal agencies on both of the following

(a) The number of migrant labor housing units licensed in 1987 and 1994

(b) The percentage of migrant labor housing units in 1987 and 1994 not meeting state migrant housing licensure standards

(4) An agricultural labor camp operator receiving a grant from the department for remodeling from the amount appropriated in section 101 for migrant labor housing grants shall not do either of the following

(a) Convert a migratory housing unit that has been remodeled with grant funding to a use other than for migratory housing within 3 years after receipt of the grant

(b) Charge rent to an occupant of a migratory housing unit that has been remodeled with grant funding within 3 years after receipt of the grant

(5) If an agricultural labor camp operator violates subsection (4) the department shall institute proceedings to recover the grant funds from the operator

(6) The department may also expend the amount appropriated in section 101 for migrant labor housing grants for construction of new migrant labor housing Project grants shall not exceed \$2 000 00 per unit An applicant is not eligible for more than a \$10 000 00 grant in any fiscal year Units shall be equivalent in construction to units approved by the farmers home administration for low interest construction loans and shall be not less than 484 square feet in size with a minimum of 1 bedroom a kitchen flush toilet lavatory and bathing facilities

(7) In administering the grants for new migrant housing the department shall use application agreement claim and payment procedures set forth in R 325 3635 to R 325 3641 of the Michigan administrative code

HEALTH SYSTEMS LOCAL GRANTS

Sec 701 The amount appropriated in section 101 for state/local cost sharing may be used for special grants to local health departments to satisfy minimum funding levels prescribed by section 2477 of the public health code Act No 368 of the Public Acts of 1978 being section 333 2477 of the Michigan Compiled Laws and any other authorized supplement The special grants shall not exceed a total of \$250 000 00 If proposed changes to sections 2471 to 2498 of the public health code Act No 368 of the Public Acts of 1978 being sections 333 2471 to 333 2498 of the Michigan Compiled Laws are enacted during fiscal year 1994 95 the department shall adjust funding from the amount appropriated in section 101 for state/local cost sharing to comply with the revisions in the public health code

Sec 702 The department and local health departments shall report by April 1 1995 to the members of the senate and house appropriations subcommittees on public health senate and house fiscal agencies and the department of management and budget on the disposition of the funds distributed from the health and safety fund under the health and safety fund act Act No 264 of the Public Acts of 1987 being sections 141 471 to 141 479 of the Michigan Compiled Laws and section 12 of the tobacco products tax act Act No 327 of the Public Acts of 1993 being section 205 432 of the Michigan Compiled Laws The report shall include all of the following

(a) Whether the funds received from the health and safety fund were used for property tax relief and if not the specific programs supported by that portion of the distribution mandated for public health prevention programs and services

(b) A comparison of total local support for local public health departments for this fiscal year and for the previous fiscal year

Sec 703 If a county receiving funding from the amount appropriated in section 101 for local public health infrastructure is part of a district health department or in an associated arrangement with other local health departments on June 1 1992 and then ceases to be part of such an arrangement the allocation to that county from the local public health infrastructure appropriation shall be reduced by 50% from the amount originally allocated

Sec 704 The funds appropriated in section 101 for primary care services shall be allocated for the following programs Bay Mills center \$106 500 00 CHASS clinic \$904 700 00 Community health services \$313 500 00 Family health services \$161 300 00 Grand Rapids primary care services \$154 500 00 Upper Peninsula primary care services \$185 500 00 Arab American Chaldean council primary care services \$25 000 00 Arab community center for economic and social services primary care services \$25 000 00 Janes street community health center \$150 000 00 and Herman Kiefer health complex \$150 000 00

Sec 705 The department shall repay debts only for health professionals who enter a written contract to engage in the full time practice of providing health care services in a health resource shortage area or a percentage reimbursement equal to the percentage of full time work actually performed by a health care professional over a 2 year period in a health resource shortage area The individual seeking loan forgiveness shall be responsible to provide documentation of their work in a health resource shortage area

Sec 706 Of the amount appropriated in section 101 for state/local cost sharing \$15 108 100 00 is an increase from fiscal year 1993 94 Distributions from the increased appropriation shall be made only in the counties that maintain local spending in fiscal year 1994 95 of at least the amount expended in fiscal year 1992 93

Sec 707 (1) Funds appropriated in section 101 for state/local cost sharing shall be allocated as follows

(a) To reimburse local health departments on a 50% basis of the net allowable costs for providing the following 9 required services immunizations infectious disease control sexually transmitted disease control hearing screening vision services food protection public water supply private groundwater supply and on site sewage management

(b) Any funding remaining after allocation of subdivision (a) shall be allocated as grants for core services based upon an agreed modified formula

(c) Any funding remaining after allocation of subdivisions (a) and (b) shall be allocated as public health improvement block grants to insure that all local health departments will be held harmless

(2) The department shall report by April 1 1995 to the senate and house subcommittees on public health senate and house fiscal agencies and the department of management and budget a list of the funding schedule for the 9 required services core service grants and public health improvement block grants to local health departments

(3) If a subsequent list of services is developed pursuant to proposed changes in the public health code Act No 368 of the Public Acts of 1978 should these changes become effective during fiscal year 1994 95 it shall be submitted to the members of the senate and house appropriations subcommittee on public health the senate and house fiscal agencies and the department of management and budget who will have 30 days to review and comment prior to implementation

CENTER FOR HEALTH PROMOTION

Sec 801 By April 1 of each year the department shall report to the senate and house appropriations subcommittees on public health the senate and house fiscal agencies and the department of management and budget on the major risk factors and preventable diseases or conditions including but not limited to AIDS The report shall provide information regarding the worksite community health promotion program the Michigan health initiative fund and the employee wellness services program including the actual number of persons served the funds expended by each agency that received funds under the program and the amount spent on direct services to employees spouses and retirees

Sec 802 From the state funds appropriated in section 101 for the center for health promotion the department shall allocate funds to promote awareness education and early detection of breast cervical and prostate cancer and provide for other health promotion media activities

Sec 803 Of the amount appropriated in section 101 for the spinal cord and traumatic brain injury registry no less than \$35 000 00 shall be provided to the southeastern Michigan spinal cord injury system (SMSCIS) for the design and implementation of a spinal cord and traumatic brain injury registry if SMSCIS submits a proposal that is acceptable to the department

Sec 804 (1) The amount appropriated in section 101 for the school health curricula shall be allocated in 1994 95 to provide grants to or contract with certain districts and intermediate districts for the provision of a school health education curriculum Provision of the curriculum such as the Michigan model or another comprehensive school health education curriculum, shall be in accordance with the health education goals established by the Michigan model for the comprehensive school health education state steering committee The state steering committee shall be comprised of a representative from each of the following offices and departments

(a) The department of education

(b) The department of mental health

(c) The department of public health

(d) The office of substance abuse services in the department of public health

(e) The department of social services

(f) The department of state police

(2) Upon written or oral request a pupil not less than 18 years of age or a parent or legal guardian of a pupil less than 18 years of age within a reasonable period of time after the request is made shall be informed of the content of a course in the health education curriculum and may examine textbooks and other classroom materials that are provided to the pupil or materials that are presented to the pupil in the classroom This subsection does not require a school board to permit pupil or parental examination of test questions and answers scoring keys or other examination instruments or data used to administer an academic examination

Sec 805 Of the funds appropriated in section 101 for Alzheimer s information network the department shall allocate funds to regional information and referral centers to be used only for information and referral services

CHILD AND FAMILY SERVICES GRANTS

Sec 901 The department shall review the basis for the distribution of funds to local health departments and other public and private agencies for the women infants and children food supplement program family planning early and periodic screening diagnosis and treatment program and prenatal care outreach and service delivery support program and indicate the basis upon which any projected underexpenditures by local public and private agencies shall be reallocated to other local agencies that demonstrate need

Sec 902 (1) Agencies receiving funds appropriated from section 101 for adolescent health care services shall meet all of the following criteria

(a) Require each adolescent health clinic funded by the agency to report to the department on an annual basis all of the following information

(i) Funding sources of the adolescent health clinic

(ii) Demographic information of populations served including sex age and race

(iii) Utilization data that reflects the number of visits and repeat visits and types of services provided per visit

(iv) Types and number of referrals to other health care agencies

(b) Require each local school board funded by the agency to establish a local advisory committee before the planning phase of an adolescent health clinic intended to provide services within that school district The advisory committee shall be comprised of not less than 50% residents of the local school district and shall not be comprised of more than 50% health care providers A person who is employed by the sponsoring agency shall not have voting privileges as a member of the advisory committee All advisory committee meetings shall be open to the public with at least a 1 week notice of the meeting date published in the local newspaper

(c) Not allow an adolescent health clinic funded by the agency as part of the services offered to provide abortion counseling or services or make referrals for abortion services

(d) If a local advisory committee established under subdivision (b) recommends that family planning be provided as a service require that any public information brochure include family planning in its description of the entire array of services provided by the adolescent health clinic

(e) Require each adolescent health clinic funded by the agency to have a written policy on parental consent developed by the local advisory committee and submitted to the local school board for approval if the services are provided in a building where instruction is provided in grades kindergarten through 12

(2) A local advisory committee established under subsection (1)(b) in cooperation with the sponsoring agency shall submit written recommendations regarding the implementation and types of services rendered by an adolescent health clinic to the local school board for approval of adolescent health services rendered in a building where instruction is provided in grades kindergarten through 12

(3) The department shall submit a report to the members of the senate and house appropriations subcommittees on public health senate and house fiscal agencies and the department of management and budget based on the information provided under subsection (1)(a) The report is due 90 days after the end of the calendar year

Sec 903 Of the funds appropriated in section 101 for adolescent health care services \$1 840 830 00 shall be allocated to teen centers as follows \$90 000 00 base funding and of the remaining funding 25% distributed on the number of users 50% distributed on the number of visits and 25% distributed on the number of services This formula does not apply to the alternative models

Sec 904 Before April 1 1995 the department shall submit a report to the members of the house and senate appropriations subcommittees on public health the house and senate fiscal agencies and the department of management and budget on planned allocations from the amounts appropriated in section 101 for maternity infant and children's health care local agreements prenatal care outreach and service delivery support family planning local agreements and pregnancy prevention program Using applicable federal definitions the report shall include information on all of the following

(a) Funding allocations

(b) Basis for grantee selection

(c) Expected cost per client served by grantee

(d) Number of women children and/or adolescents expected to be served

(e) Expected first and third party collections by source of payment

(f) The extent to which grantees meet federal indicators when applicable

(g) Actual numbers served and amounts expended in the categories described in subdivisions (a) to (e) for the fiscal year 1993 94

Sec 905 For all programs for which an appropriation is made in section 101 for child and family services grants the department shall contract with those local public and private nonprofit agencies best able to serve clients Factors to be used by the department in evaluating agencies under this section shall include ability to serve high risk population groups ability to serve low income clients where applicable availability of and access to service sites management efficiency and ability to meet federal standards where applicable

Sec 906 Each family planning program receiving federal title X family planning funds shall be in compliance with all performance and quality assurance indicators that the United States bureau of community health services specifies as its common reporting requirements An agency not in compliance with the indicators shall not receive supplemental or reallocated funds

Sec 907 Of the amount appropriated in section 101 for prenatal care outreach and service delivery support not more than 10% shall be expended for local administration data processing and evaluation

Sec 908 The funds appropriated in section 101 for adolescent health care services shall not be used to fund grants for planning for or community coordination of additional adolescent health care programs

Sec 909 (1) Subject to subsection (2) by December 1 1994 the department shall submit a plan for the allocation of amounts appropriated in section 101 for the pregnancy prevention program to the members of the house and senate appropriations subcommittees on public health the house and senate fiscal agencies and the department of management and budget

(2) In the spending of the funds appropriated for the pregnancy prevention program the department shall continue to fund at existing levels programs to prevent teen pregnancy and programs that provide long term implanted or injectable contraceptive devices

Sec 910 (1) From the amount appropriated in section 101 for the pregnancy prevention program the department shall fund 4 competitively bid demonstration projects The projects shall increase the availability of pregnancy prevention services to persons at or below 185% of the federal poverty level including expansion of the availability of services to substance abusing individuals The maximum demonstration project amount shall be \$225 000 00 No more than 25% of each project's allocation may be used for innovative outreach and community awareness efforts

(2) The projects funded under the provisions of subsection (1) shall be located in counties with the greatest number of pregnancies of individuals age 17 and under in calendar year 1990

(3) In reviewing project proposals the department shall consider the provisions of section 914

Sec 911 A clinic institution or other health facility receiving state funding for family planning purposes shall provide to a client seeking family planning services at initial contact a pamphlet containing educational information to assist the patient in making responsible parenting decisions The pamphlet shall include but not be limited to information regarding the physical financial and time commitment involved in parenting The pamphlets required by this section shall be provided by the department The pamphlets shall be written in English and in clear nontechnical terms Copies of the pamphlets shall also be printed in Spanish and distributed upon request to the clinics institutions and other health facilities described in this section

Sec 912 Expenditures for the early and periodic screening diagnosis and treatment outreach program shall not exceed the actual amount of funds available from the department of social services and any associated federal matching funds

Sec 913 For all contracts related to infant mortality services the department shall ensure that contractors coordinate their services with other infant mortality efforts Assurance of coordination may include letters of agreement between health department projects and other public or private initiatives Examples of immediate concern include the linking of paraprofessional outreach substance abuse transportation and maternal support services with agencies providing primary pre and postnatal care services

Sec 914 The legislature recognizes the importance of communicating to preteens about the importance of delaying sexual activity and therefore the legislature supports the development of abstinence programs for this age group In addition the legislature supports the use of comprehensive health care programs to address teen sexual activity teenage pregnancy and sexually transmitted diseases

Sec 915 The department is authorized to pursue reimbursement for family planning services for persons at or below 185% of the federal poverty level from the federal Medicaid program If the department receives such approval from the federal government the department may receive and expend available federal funding to enhance or expand family planning services Any such enhancement or expansion shall not result in general fund/general purpose expenditures more than existing general fund/general purpose appropriations for these purposes

Sec 916 From the funds appropriated in section 101 for the community resource service the department shall develop a teenage access regional card for distribution to the appropriate health facilities The card shall include information on health services including but not limited to teen parenting centers crisis centers WIC centers family planning local health departments and substance abuse centers

CRIPPLED CHILDREN SERVICES

Sec 1001 Money appropriated in section 101 for medical care and treatment of crippled children shall be paid according to reimbursement policies determined by the Michigan medical assistance program Exceptions to these policies may be taken with the prior approval of the department of management and budget

Sec 1002 The department may do 1 or more of the following

- (a) Provide special formula for eligible clients with specified metabolic and allergic disorders
- (b) Provide medical care and treatment to eligible patients with cystic fibrosis who are 21 years of age or older
- (c) Provide genetic diagnostic and counseling services for eligible families
- (d) Provide medical care and treatment to eligible patients with hereditary coagulation defects commonly known as hemophilia who are 21 years of age or older

Sec 1003 (1) By April 1 1995 the department shall submit a report to the members of the senate and house appropriations subcommittees on public health the senate and house fiscal agencies and the department of management and budget on the crippled children case management services program The report shall include funding allocations by local health departments or other contractors and the number of children and families expected to be served by the agency

(2) By April 1 1995 the department shall report to the parties specified in subsection (1) on the actual number of persons served and the amounts expended by each agency that received funds under the program for fiscal year 1993 94

Sec 1004 Before implementing changes in the method of reimbursing health care providers in the program of services for crippled children the department with the assistance and advice of the children's special health care services advisory committee shall develop and submit a plan to the house and senate appropriations subcommittees on public health the house and senate fiscal agencies and the department of management and budget The plan shall include the proposed changes and an assessment of the impact of those proposed changes on client eligibility standards caseload quality of care availability of services and health care provider participation

SUBSTANCE ABUSE GRANTS AND CONTRACTS

Sec 1101 Of the funds appropriated in section 101 for substance abuse not more than 10% of state administered funds may be expended for administration of coordinating agencies

Sec 1102 The amount appropriated in section 101 for substance abuse prevention education and treatment grants shall be expended for contracting with coordinating agencies or designated service providers

Sec 1103 From the amounts appropriated in section 101 for substance abuse grants and contracts not otherwise allocated to coordinating agencies on the basis of formula \$200 000 00 shall be allocated to the community alliance resource environmental substance abuse program

Sec 1104 Before changing the allocation formula currently being used to distribute substance abuse grants and contracts the department shall submit the changes and their impact upon substance abuse coordinating agencies programs and services for review to the members of the house and senate appropriations subcommittees on public health the house and senate fiscal agencies and the department of management and budget

Sec 1105 The funding in section 101 for substance abuse services shall be distributed in a manner so as to provide priority to service providers which furnish child care services to clients with children

Sec 1106 In allocating the amount appropriated in section 101 for community substance abuse prevention education and treatment grants the department shall earmark consistent with the federal block grant requirements

Sec 1107 In spending the funds appropriated in section 101 for community substance abuse prevention education and treatment grants the office of substance abuse services and its subcontractors shall ensure that chemically dependent pregnant women and women with dependent children receive priority for services

Sec 1108 (1) The funds appropriated in section 101 for the state disability assistance substance abuse services program shall be used to support per diem room and board payments in substance abuse residential facilities Eligibility of clients for the state disability assistance substance abuse services program shall be determined in accordance with section 805 of Act No 168 of the Public Acts of 1992

(2) The department shall reimburse all licensed substance abuse programs eligible to participate in the program at a rate equivalent to that paid by the department of social services to adult foster care providers Programs accredited by department approved accrediting organizations shall be reimbursed at the personal care rate while all other eligible programs shall be reimbursed at the domiciliary care rate

Sec 1109 (1) The department shall perform a study of actual costs of providing substance abuse services by licensed substance abuse providers receiving state funds Until that study is completed the department shall permit reasonable reimbursement to providers not to exceed the amounts appropriated in section 101 for substance abuse grants and contracts with appropriate documentation The department in cooperation with the Michigan association of substance abuse coordinators substance abuse service providers and other interested parties will develop a reimbursement method for substance abuse services The department shall also explore the possibility of using full cost reimbursement for services provided to Medicaid clients with other funds providing the match for the federal funds

(2) By April 1 1995 the department shall report to the senate and house appropriations subcommittees on public health the senate and house fiscal agencies and the department of management and budget on the cost study and any proposed changes in the reimbursement and contracting procedures

Sec 1110 If substance abuse coordinating agencies receiving funding from the amount appropriated in section 101 for substance abuse services cease to exist or merge with other coordinating agencies or otherwise restructure the administrative savings resulting from such a change will be redistributed to the restructured substance abuse coordinating agencies for substance abuse treatment services

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor