

HOUSE BILL NO. HB0215

Department of health reorganization.

Sponsored by: Representative(s) Lubnau, Harshman and
Harvey and Senator(s) Scott

A BILL

for

1 AN ACT relating to administration of government; providing
2 for a study of the reorganization of the department of
3 health; providing for a reorganization plan; creating the
4 position within the governor's office of chief financial
5 officer for the department of health; specifying duties;
6 authorizing restriction of department expenditures as
7 specified; providing for contingent reports; transferring a
8 corresponding position and funds from the department of
9 health; providing an appropriation; and providing for an
10 effective date.

11

12 *Be It Enacted by the Legislature of the State of Wyoming:*

13

14 **Section 1.** W.S. 9-1-224 and 9-2-127 are created to
15 read:

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1 **9-1-224. Department of health chief financial**
2 **officer.**

3

4 (a) There is created within the office of the
5 governor a chief financial officer for the department of
6 health, who shall be appointed by and serve at the pleasure
7 of the governor.

8

9 (b) The chief financial officer for the department of
10 health shall function as a financial and budgetary liaison
11 between the department of health and the governor, and
12 shall carry out those duties specified in W.S. 9-2-127.

13

14 **9-2-127. Chief financial officer; duties and**
15 **responsibilities.**

16

17 (a) The duties of the chief financial officer
18 appointed pursuant to W.S. 9-1-224 shall include:

19

20 (i) Oversight of revenues received and
21 expenditures made by each division, program, section,
22 subsection or other function within the department of
23 health;

24

1 (ii) Monitoring all department revenues and
2 expenditures to determine if, for each function and
3 budgetary line item, funds appropriated or anticipated are
4 reasonably expected to be sufficient to meet expenditure
5 obligations for the balance of the applicable fiscal
6 period;

7

8 (iii) Consulting with the department director
9 and other officials as necessary to monitor department
10 revenues and expenditures.

11

12 (b) The chief financial officer, with approval of the
13 governor and in consultation with the department director,
14 shall have the authority to restrict spending by any
15 department program or function to ensure that expenditures
16 remain within appropriated and other reasonably anticipated
17 available funds for the balance of the applicable fiscal
18 period. The chief financial officer shall certify to the
19 auditor and treasurer any exercise of the authority granted
20 under this subsection, and shall specify the nature and
21 duration of the expenditure restriction.

22

1 (c) The chief financial officer shall report
2 immediately to the governor and within thirty (30) days to
3 the joint appropriations interim committee if:

4
5 (i) Authority to restrict expenditures has been
6 exercised under subsection (b) of this section;

7
8 (ii) Revenues for a program or function will be
9 insufficient for the balance of the applicable fiscal
10 period; or

11
12 (iii) Expenditures by the program cannot
13 reasonably be restricted as authorized by this section due
14 to statutory, constitutional, humanitarian, judicial or
15 other restraints.

16
17 (d) All department administrators, managers,
18 supervisors, chiefs and budget personnel shall cooperate
19 fully with the chief financial officer in collecting and
20 reporting data necessary for the performance of duties
21 under this section.

22
23 **Section 2.** W.S. 9-2-1005(a) by creating a new
24 paragraph (xiv) is amended to read:

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2 **9-2-1005. Payment of warrants; budget powers of**
3 **governor; agency budgets; federal funds; new employees.**

4

5 (a) No warrant shall be drawn by the auditor or paid
6 by the treasurer:

7

8 (xiv) For expenditures certified by the chief
9 financial officer for the department of health as
10 restricted pursuant to W.S. 9-2-127(b).

11

12 **Section 3.** The position of chief financial officer
13 within the department of health is transferred to the
14 office of the governor and the department of health's
15 authorized full-time positions is reduced accordingly. All
16 appropriated funds associated with this position shall be
17 transferred to the office of the governor.

18

19 **Section 4.**

20

21 (a) The director of the department of health shall
22 examine the programs and functions of the department,
23 prepare a plan for the reorganization of the department as
24 specified in this section and submit the plan to the

1 governor for approval. The department reorganization plan,
2 as approved by the governor, shall be submitted to the
3 joint labor, health and social services interim committee
4 of the legislature no later than October 15, 2011 and made
5 available to the public. The committee shall hold at least
6 one (1) public hearing regarding the plan before the 2012
7 budget session of the legislature convenes. The joint
8 labor, health and social services interim committee shall
9 report to the legislature by December 1, 2011, its
10 recommendations on the plan, including necessary
11 legislation with respect to the plan. The plan, as approved
12 by act of the legislature, shall be implemented not later
13 than July 1, 2012.

14

15 (b) In preparing the department reorganization plan
16 the director shall consider whether a new department shall
17 be created and the functions and programs which should be
18 transferred from the department of health to the new
19 department, if any, or to other existing departments or
20 other agencies in state government. The plan shall
21 recommend the appropriate type of transfer under W.S.
22 9-2-1707(b) and the positions to be transferred or
23 eliminated.

24

1 (c) In developing the plan the director shall:

2

3 (i) Determine if additional department fiscal
4 personnel should be transferred to the governor's office
5 for effective fiscal oversight of department expenditures
6 or for other efficiencies;

7

8 (ii) Consider the cost-effectiveness of any
9 recommended transfer;

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11 (iii) Consider whether the recommended transfer
12 will result in a more efficient provision of service to
13 customers;

14

15 (iv) Determine the best system to adequately
16 serve customers in both urban and rural areas;

17

18 (v) Recommend legislation necessary to allow
19 data sharing for the purpose of evaluating programs and the
20 sharing of a common intake and management information
21 system among the department of health, the department of
22 family services and any new department recommended to be
23 created;

24

1 (vi) Identify outcome-based performance data for
2 all programs proposed to be transferred to any new
3 department created pursuant to the plan. Upon approval of
4 the plan by the legislature, the directors of the
5 department of health and any new department created
6 pursuant to the plan shall submit a joint report to the
7 governor and the joint labor, health and social services
8 interim committee no later than October 1 of each year
9 until October 1, 2017 addressing the results of the
10 reorganization of the department of health and
11 recommendations for additional reorganization;

12

13 (vii) Develop memoranda of understanding for
14 confidentiality of information and data sharing.

15

16 (d) To the extent not prohibited by federal law, any
17 agency or program of the state may provide information to
18 the director as necessary to develop the plan required by
19 this section.

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21 (e) The reorganization plan developed pursuant to
22 this section shall comply with the provisions of W.S.
23 9-2-1707(a)(iii), except that the requirement that public
24 hearings regarding the reorganization plan be conducted by

1 at least two (2) interim committees of the legislature
2 shall not apply.

3

4 **Section 5.**

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6 (a) There is appropriated one hundred thousand
7 dollars (\$100,000.00) from the general fund to the
8 department of health. This appropriation shall be for the
9 period beginning with the effective date of this act and
10 ending June 30, 2012. This appropriation shall only be
11 expended for the purpose of preparing the plan required by
12 this act. Notwithstanding any other provision of law, this
13 appropriation shall not be transferred or expended for any
14 other purpose and any unexpended, unobligated funds
15 remaining from this appropriation shall revert as provided
16 by law on June 30, 2012.

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18 (b) The director of the department of health, with
19 approval of the governor, is authorized to retain the
20 services of an appropriate consultant to assist in the
21 preparation of the plan required by this act.

22

1 **Section 6.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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6

(END)