

SENATE FILE NO. SF0064

Public health nursing.

Sponsored by: Joint Labor, Health and Social Services  
Interim Committee

A BILL

for

1 AN ACT relating to public health; providing for the  
2 division of responsibilities and financial obligations  
3 between the state and local governments; providing options  
4 for the management of public health nursing  
5 responsibilities at the county and other local levels;  
6 giving options to county commissioners to choose how to  
7 work with the state in organizing public health nursing and  
8 related public health functions; providing for a task  
9 force; providing for reports; providing a sunset date;  
10 providing an appropriation; and providing for an effective  
11 date.

12

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

14

15 **Section 1.** W.S. 35-1-242 is created to read:

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1           **35-1-242. Public health nursing.**

2

3           (a) In exercising its powers and duties under W.S.  
4 35-1-240(a)(xx), the department of health is authorized to  
5 enter into memoranda of understanding with the several  
6 counties separately for the organization, management,  
7 delivery and financing of public health nursing and related  
8 functions during the biennium beginning July 1, 2014 and  
9 ending June 30, 2016, subject to the following:

10

11           (i) The department shall have the authority to  
12 terminate or renegotiate the memoranda of understanding  
13 before the end of the biennium if subsequent legislation is  
14 enacted changing or specifying in more detail the division  
15 of responsibilities and financing of public health nursing  
16 and related functions;

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18           (ii) The county commissioners of each county may  
19 choose for all or a portion of their county to use, for the  
20 delivery and management of public health nursing and  
21 related functions, any existing organization which  
22 currently delivers any or all public health services;

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1           (iii) The memoranda of understanding may specify  
2 how the state and local employees will be supervised and  
3 disciplined;

4  
5           (iv) The memoranda of understanding may specify  
6 the hours that public health offices will be open and the  
7 holidays that will be observed and may require both state  
8 and county employees in the public health functions to  
9 conform to a common work schedule, which may be different  
10 in different counties;

11  
12           (v) The memoranda of understanding may specify  
13 which resources, including financial and physical  
14 resources, will be furnished by the state and which by the  
15 county or other local entity;

16  
17           (vi) A memorandum of understanding may provide,  
18 at the request of the commissioners of a county, that  
19 county employee positions assisting in providing public  
20 health functions may be transferred to state at-will  
21 employee contract positions under W.S. 9-2-1022(a)(xi)(F),  
22 provided that the number of positions transferred under  
23 this paragraph shall not exceed the largest number of  
24 public health nursing positions in the county between July

1 1, 2012 and December 31, 2013. The department may accept  
2 county or other local funds to defray the cost of  
3 transferred positions as provided in the memorandum of  
4 understanding. The funds shall be deposited by the state  
5 treasurer in a separate account. The funds in the account  
6 are continuously appropriated to the department of health  
7 and shall be paid out upon request of the department as  
8 provided by law;

9  
10 (vii) If the commissioners of two (2) or more  
11 counties desire to form a joint powers board to manage all  
12 or part of the public health functions in the respective  
13 counties, the relevant memoranda of understanding may be  
14 modified accordingly and may provide for transition to a  
15 joint powers board upon its creation pursuant to the  
16 Wyoming Joint Powers Act;

17  
18 (viii) The memoranda of understanding may  
19 contain any other provisions useful in the organization,  
20 management or delivery of public health services.

21  
22 (b) Any county which is not currently receiving state  
23 public health nursing assistance in the form of state  
24 public health nursing positions assigned to that county may

1 enter into a contract with the state to perform specified  
2 public health nursing services. The contract may provide,  
3 with as much specificity as is reasonable and practical  
4 given the time available, the services to be performed, the  
5 resources and other assistance to be provided by the state  
6 and the outcomes expected.

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8 (c) In developing the memoranda of understanding, the  
9 department shall consider that the state is working toward  
10 a system where the county commissioners of each county have  
11 at least the following choices for organizing the public  
12 health nursing and related public health services for the  
13 respective counties:

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15 (i) An enhanced version of the current  
16 partnership memorandum of understanding system;

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18 (ii) A state administered public health nursing  
19 system with a county contribution; or

20

21 (iii) A system under which the state contracts  
22 with a county for the provision of all or a portion of the  
23 public health nursing and other public health functions.

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1           (d) This section is repealed effective June 30, 2016.

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3           **Section 2.** The legislature respectfully requests the  
4 Wyoming county commissioners association to organize a task  
5 force to include county commissioners, members of the  
6 public, representatives of the department of health and  
7 other appropriate persons interested in the provision and  
8 management of public health services. At times and in  
9 forums mutually agreed on with the cochairmen of the joint  
10 labor, health and social services interim committee, the  
11 task force shall provide recommendations to the committee  
12 for legislation governing the provision, management and  
13 financing of public health nursing services and related  
14 functions. The task force shall make its final  
15 recommendations in writing to the joint labor, health and  
16 social services interim committee no later than October 1,  
17 2015. The committee shall consider the task force's  
18 recommendations, public comment and the impact, to the  
19 extent it is known, of federal health reform legislation on  
20 the provision of public health nursing and related services  
21 in Wyoming. In addition to the three (3) options set forth  
22 in W.S. 35-1-242(c), the task force may consider and  
23 recommend additional options including hybrid options

1 containing elements of two (2) or more of the options  
2 listed above.

3

4 **Section 3.**

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6 (a) There are authorized to the department of health  
7 sufficient additional at-will employee contract positions,  
8 pursuant to W.S. 9-2-1005(b)(ii), for the 2015-2016  
9 biennium in order to transfer local government public  
10 health positions to the state pursuant to W.S.  
11 35-1-242(a)(vi).

12

13 (b) There is appropriated five hundred thousand  
14 dollars (\$500,000.00) from the general fund to the  
15 department of health. This appropriation shall be for the  
16 period beginning with the effective date of this act and  
17 ending June 30, 2016. This appropriation shall only be  
18 expended for the purpose of memoranda of understanding  
19 pursuant to W.S. 35-1-242 between the department of health  
20 and those counties not participating in a state employee  
21 public health nursing program as of January 1, 2014.  
22 Notwithstanding any other provision of law, this  
23 appropriation shall not be transferred or expended for any  
24 other purpose and any unexpended, unobligated funds

1 remaining from this appropriation shall revert as provided  
2 by law on June 30, 2016. This appropriation shall not be  
3 included in the department's 2017-2018 standard biennial  
4 budget request.

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

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11 (END)