

House File 2017 - Introduced

HOUSE FILE 2017

BY JONES

A BILL FOR

1 An Act relating to the elimination and transition of the duties
2 of the department of public health.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. DEPARTMENT OF PUBLIC HEALTH ELIMINATION —
2 TRANSITION OF DIVISIONS TO OTHER EXECUTIVE BRANCH AGENCIES.

3 1. Beginning July 1, 2018, the director of public health
4 shall work with the director of the department of public
5 safety and the director of the department of human services
6 to transition the duties of the department of public health
7 to those agencies effective July 1, 2019. The department
8 of public safety shall assume the duties of the department
9 of public health division of acute disease prevention,
10 emergency response, and environmental health; the division of
11 administration and professional licensure; and the division of
12 tobacco use prevention and control. The department of human
13 services shall assume the duties of the department of public
14 health division of behavioral health and the division of health
15 promotion and chronic disease prevention.

16 2. Any moneys remaining in any account or fund under
17 the control of the department of public health at the
18 conclusion of the fiscal year beginning July 1, 2018, shall
19 be transferred to the control of the respective department
20 assuming control of the division with control of the account or
21 fund. Notwithstanding section 8.33, the moneys transferred in
22 accordance with this subsection shall not revert to the account
23 or fund from which appropriated or transferred.

24 3. Any contract entered into by the department of public
25 health in effect at the conclusion of the fiscal year beginning
26 July 1, 2018, shall continue in full force and effect pending
27 transfer of such contracts to the respective department.

28 4. Any rule, regulation, form, order, or directive
29 promulgated by the department of public health in existence at
30 the conclusion of the fiscal year beginning July 1, 2018, shall
31 continue in full force and effect until amended, repealed, or
32 supplemented by affirmative action of the respective department
33 to which authority is transitioned.

34 5. With regard to updating references and format in
35 the Iowa administrative code in order to correspond to the

1 transferring of duties of the department of public health, the
2 administrative rules coordinator and the administrative rules
3 review committee, in consultation with the administrative code
4 editor, shall jointly develop a schedule for the necessary
5 updating of the Iowa administrative code.

6 6. Additional legislation is necessary to fully implement
7 this Act. The director of public health shall, in compliance
8 with section 2.16, prepare draft legislation for submission
9 to the legislative services agency, as necessary, for
10 consideration by the general assembly during the 2019
11 legislative session, to implement the elimination of the
12 department of public health and the transition of its duties
13 to the department of public safety and the department of human
14 services effective July 1, 2019.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill provides for the elimination of the department of
19 public health (DPH) and directs the director of public health
20 to work with the directors of the department of public safety
21 (DPS) and the department of human services (DHS) to transfer
22 the duties of DPH to those departments, effective July 1, 2019.
23 The bill directs DPS to assume the duties of the department
24 of public health division of acute disease prevention,
25 emergency response, and environmental health; the division of
26 administration and professional licensure; and the division of
27 tobacco use prevention and control. The bill directs DHS to
28 assume the duties of the department of public health division
29 of behavioral health and the division of health promotion and
30 chronic disease prevention.

31 The bill also provides for the transfer of control of any
32 moneys remaining in any account or fund under the control of
33 DPH at the conclusion of the fiscal year beginning July 1,
34 2018, to the control of the respective department assuming
35 control of the division with control of the account or fund.

1 Notwithstanding Code section 8.33, the moneys transferred in
2 accordance with the bill shall not revert to the account or
3 fund from which appropriated or transferred.

4 The bill provides that any contract entered into by DPH in
5 effect at the conclusion of the fiscal year beginning July 1,
6 2018, shall continue in full force and effect pending transfer
7 of such contracts to the respective department. Additionally,
8 any rule, regulation, form, order, or directive promulgated
9 by DPH in existence at the conclusion of the fiscal year
10 beginning July 1, 2018, shall continue in full force and
11 effect until amended, repealed, or supplemented by affirmative
12 action of the respective department to which authority is
13 transitioned. With regard to updating references and format
14 in the Iowa administrative code in order to correspond to
15 the transferring of duties of DPH, the administrative rules
16 coordinator and the administrative rules review committee,
17 in consultation with the administrative code editor, shall
18 jointly develop a schedule for the necessary updating of the
19 Iowa administrative code. Finally, additional legislation is
20 necessary to implement the bill. The director of public health
21 shall, in compliance with Code section 2.16, prepare draft
22 legislation for submission to the legislative services agency,
23 as necessary, for consideration by the general assembly during
24 the 2019 legislative session, to implement the elimination of
25 DPH and the transition of its duties to DPS and DHS, effective
26 July 1, 2019.