

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 69*

Short Title: Public Health Study.

(Public)

Sponsors: Senators Cooper; Walker, Ward, Forrester, and Seymour.

Referred to: Rules and Operation of the Senate.

February 4, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE PUBLIC HEALTH STUDY COMMISSION.

3 Whereas, recent data on the health status of North Carolina citizens suggest
4 that the State and local public health systems are not operating at maximum efficiency
5 and effectiveness; and

6 Whereas, demands on financial resources to support State and local public
7 health have increased dramatically, while the State's percentage of financial support to
8 local public health efforts has decreased; and

9 Whereas, a strong county-based public health system has been the entry point
10 for the delivery of public health and primary care services to the citizens of North
11 Carolina; and

12 Whereas, prevention, surveillance, assessment, and education are major tasks
13 and strengths of the public health system; and

14 Whereas, the public health system must be incorporated into health care
15 reform and cost control strategies; and

16 Whereas, the structure, financing, accessibility, and accountability of the
17 public health system need close and continued scrutiny to ensure that the system keeps
18 pace with the needs of society and with current health care reform efforts; Now,
19 therefore,

20 The General Assembly of North Carolina enacts:

21 Section 1. Chapter 120 of the General Statutes is amended by adding the
22 following new Article to read:

23 **"ARTICLE 22.**
24 **"THE PUBLIC HEALTH STUDY COMMISSION.**

1 **"§ 120-195. Commission created; purpose.**

2 There is established the Public Health Study Commission. The Commission shall
3 examine the public health system to determine its effectiveness and efficiency in
4 assuring the delivery of public health services to the citizens of North Carolina.

5 **"§ 120-196. Commission duties.**

6 The Commission shall study the availability and accessibility of public health
7 services to all citizens throughout the State. In conducting the study the Commission
8 shall:

- 9 (1) Evaluate whether the current organizational structure of the public
10 health system is effective in meeting public health needs and the
11 likelihood that such structure will be able to achieve the State's public
12 health mandate in the future;
- 13 (2) Determine whether the public health services currently available in
14 each county or district health department conform to the mission and
15 essential services established under G.S. 130A-1.1;
- 16 (3) Study the workforce needs of each county or district health
17 department, including salary levels, professional credentials, and
18 continuing education requirements, and determine the impact that
19 shortages of public health professional personnel have on the delivery
20 of public health services in county and district health departments;
- 21 (4) Review the status and needs of local health departments relative to
22 facilities, and the need for the development of minimum standards
23 governing the provision and maintenance of these facilities;
- 24 (5) Propose a long-range plan for funding the public health system, which
25 plan shall include a review and evaluation of the current structure and
26 financing of public health in North Carolina and any other
27 recommendations the Commission deems appropriate based on its
28 study activities;
- 29 (6) Study and make recommendations on the role of the public health
30 system in health care reform efforts; and
- 31 (7) Conduct any other studies or evaluations the Commission considers
32 necessary to effectuate its purpose.

33 **"§ 120-197. Commission membership; vacancies; terms.**

34 (a) The Commission shall consist of 17 members, one of whom shall be the State
35 Health Director. The Speaker of the House of Representatives shall appoint seven
36 members, two of whom shall be selected from among the following: the UNC School of
37 Public Health, the North Carolina Primary Care Association, the North Carolina Home
38 Care Association, the North Carolina Pediatric Society, and the North Carolina Citizens
39 for Public Health. Five of the Speaker's appointees shall be persons who are members of
40 the House of Representatives at the time of their appointment, one of the five being the
41 Representative who chairs the House standing committee related to health matters. The
42 President Pro Tempore of the Senate shall appoint seven members, two of whom shall
43 be selected from among the following: the North Carolina Health Directors'
44 Association, the North Carolina Public Health Association, the Association of Public

1 Health Nurses, the North Carolina Environmental Health Supervisors' Association, and
2 the North Carolina Association of Public Health Educators. Five of the President Pro
3 Tempore's appointees shall be persons who are members of the Senate at the time of
4 their appointment, one of the five being the Senator who chairs the Senate standing
5 committee related to health matters. The Governor shall appoint one member from
6 either the North Carolina Medical Society or the North Carolina Hospital Association.
7 The Lieutenant Governor shall appoint one member from either the North Carolina
8 Association of County Commissioners or the Association of North Carolina Boards of
9 Health.

10 (b) Vacancies shall be filled by the official who made the initial appointment
11 using the same criteria as provided by this section. All initial appointments shall be
12 made within one calendar month from the effective date of this Article.

13 (c) Legislative members appointed by the Speaker and the President Pro
14 Tempore shall serve two-year terms. The public members initially appointed by the
15 Speaker and the President Pro Tempore shall each serve a three-year term. The
16 members initially appointed by the Governor and the Lieutenant Governor shall each
17 serve a one-year term. Thereafter, the terms of all Commission members shall be for
18 two years.

19 **"§ 120-198. Commission meetings.**

20 The Commission shall have its first meeting not later than 60 days after adjournment
21 of the 1993 General Assembly, first session, at the call of the President Pro Tempore of
22 the Senate and the Speaker of the House of Representatives. The President Pro
23 Tempore of the Senate and the Speaker of the House of Representatives shall each
24 appoint one legislative member of the Commission to serve as cochair. The
25 Commission shall meet upon the call of the cochairs.

26 **"§ 120-199. Commission reimbursement.**

27 The Commission members shall receive no salary as a result of serving on the
28 Commission but shall receive necessary subsistence and travel expenses in accordance
29 with the provisions of G.S. 120-3.1, 138-5, and 138-6, as applicable.

30 **"§ 120-200. Commission subcommittees; non-Commission membership.**

31 The Commission cochairs may establish subcommittees for the purpose of making
32 special studies pursuant to its duties, and may appoint non-Commission members to
33 serve on each subcommittee as resource persons. Such resource persons shall be voting
34 members of the subcommittee and shall receive subsistence and travel expenses in
35 accordance with G.S. 138-5 and G.S. 138-6.

36 **"§ 120-201. Commission authority.**

37 The Commission has the authority to obtain information and data from all State
38 officers, agents, agencies, and departments, while in discharge of its duties, pursuant to
39 the provisions of G.S. 120-19, as if it were a committee of the General Assembly. The
40 Commission shall also have the authority to call witnesses, compel testimony relevant
41 to any matter properly before the Commission, and subpoena records and documents,
42 provided that any patient record shall have patient identifying information removed.
43 The provisions of G.S. 120-19.1 through G.S. 120-19.4 shall apply to the proceedings of
44 the Commission as if it were a joint committee of the General Assembly. In addition to

1 the other signatures required for the issuance of a subpoena under this section, the
2 subpoena shall also be signed by the cochairs of the Commission. Any cost of
3 providing information to the Commission not covered by G.S. 120-19.3 may be
4 reimbursed by the Commission from funds appropriated to it for its continuing study.

5 **"§ 120-202. Commission reports.**

6 The Commission shall report to the General Assembly, the Governor, and the
7 Lieutenant Governor the results of its study and recommendations. The Commission
8 shall submit its written report not later than 30 days after the convening of each biennial
9 session of the General Assembly.

10 **"§ 120-203. Commission staff; meeting place.**

11 The Commission may contract for clerical and professional staff or for any other
12 services it may require in the course of its ongoing study.

13 The Commission may, with the approval of the Legislative Services Commission,
14 meet in the State Legislative Building or the Legislative Office Building."

15 Sec. 2. There is appropriated from the General Fund to the Legislative
16 Services Commission the sum of ninety-two thousand sixteen dollars (\$92,016) for the
17 1993-94 fiscal year and the sum of one hundred three thousand nine hundred four
18 dollars (\$103,904) for the 1994-95 fiscal year to fund the first two years of the
19 Commission's study established by this act.

20 Sec. 3. This act becomes effective July 1, 1993.