

HOUSE BILL NO. HB0155

Consolidated prevention services.

Sponsored by: Representative(s) Barlow, Clem, Halverson,
Harshman and Sommers and Senator(s) Baldwin,
Hastert, Peterson and Wasserburger

A BILL

for

1 AN ACT relating to public health and safety; creating a
2 grant program for prevention services related to drug and
3 alcohol abuse and suicide prevention; identifying sources
4 of funding; prohibiting specified sources of funding;
5 creating the Wyoming community prevention services council;
6 specifying the council's duties and membership; authorizing
7 the expenditure of funds; providing a sunset date; allowing
8 the department of health to promulgate rules; making
9 conforming amendments; providing an appropriation;
10 requiring a report; requiring an interim study; and
11 providing for an effective date.

12

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

14

15 **Section 1.** W.S. 9-2-128 is created to read:

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2 **9-2-128. Consolidated prevention services; grant**
3 **program.**

4

5 (a) For purposes of this section, "prevention
6 services" means all activities based on recognized best
7 practices that are designed to prevent the use, misuse or
8 abuse of tobacco, alcohol or controlled substances and
9 activities designed to prevent suicide.

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11 (b) The department of health shall administer a grant
12 program for the support of community based prevention
13 services. Except as provided by subsection (e) of this
14 section and without dedicating monies that are otherwise
15 legally dedicated or restricted, the grant program shall
16 consolidate and coordinate all funding budgeted to the
17 department through the state budgeting process for
18 prevention services and, together with any funding
19 appropriated by the legislature for purposes of this
20 section, use the funding to provide grants to boards of
21 county commissioners who submit applications to the
22 department of health. Boards of county commissioners from
23 two (2) or more adjacent counties may submit joint grant

1 proposals and share in any funding made available pursuant
2 to an agreement between the boards and the department.
3 Grant funds may be provided to entities other than boards
4 of county commissioners as provided in subsection (f) of
5 this section.

6

7 (c) A board of county commissioners seeking a grant
8 pursuant to subsection (b) of this section shall submit a
9 grant application to the department of health on a form
10 provided by the department. In the grant application, the
11 board shall:

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13 (i) Provide a description of the prevention
14 services to be funded by the grant;

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16 (ii) Provide a detailed description of the
17 anticipated cost of providing the services to be funded by
18 the grant, divided into specific cost categories;

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20 (iii) Disclose the requested grant amount and
21 provide a description of any other funding or other
22 contributions that will be used to provide the prevention
23 services;

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2 (iv) Provide proof that the board has recognized
3 a new or existing prevention services coalition with whom
4 the county will collaboratively develop strategies and work
5 plans for application of grant funding and whose mission it
6 is to assemble and integrate community stakeholders, to
7 identify needs and to provide one (1) or more prevention
8 services;

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10 (v) Designate a qualified county employee or
11 county agency who will be responsible for grant
12 administration, tracking, reporting and compliance;

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14 (vi) Identify the person in the county who
15 serves on the community prevention services advisory
16 council;

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18 (vii) Acknowledge the obligation to satisfy all
19 reasonable financial and audit related requirements
20 required by the department to assure the appropriate
21 expenditure of public funds, including the need to comply
22 with the funding distribution, performance and outcome
23 measurement requirements of W.S. 9-2-102(a)(iii).

1

2 (d) Funds granted pursuant to subsections (b) and (c)
3 of this section shall be deposited into a separate account
4 maintained by the receiving county's treasurer and shall be
5 distributed by the board of county commissioners only for
6 the support of prevention services and consistent with
7 reasonable grant conditions and contract requirements
8 imposed by the department. If more than one (1) county
9 will receive funds pursuant to a grant, the treasurer of
10 the county with the largest population shall hold the funds
11 on behalf of all grantee counties.

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13 (e) In administering the grant program required by
14 this section and when consolidating available funds for the
15 purpose of funding grants, the department shall disregard
16 and not make available funds that, in the sole discretion
17 of the department, are necessary to maintain financial
18 support to municipalities and other entities who provide
19 prevention services in an efficient and effective manner
20 without use of the grant program established by this
21 section.

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1 (f) In any county which does not submit a grant
2 application pursuant to subsections (b) and (c) of this
3 section, or in any county where a grant application has
4 been denied, the department of health shall seek
5 alternative entities to whom an equitable share of grant
6 funding can be awarded in order to provide preventive
7 services in the county.

8

9 (g) The Wyoming community prevention services
10 advisory council is hereby established to:

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12 (i) Inform the department of health, boards of
13 county commissioners, prevention services coalitions and
14 the public on the best ways to integrate and deliver
15 community prevention services in order to achieve
16 efficiencies and to increase the quality and quantity of
17 prevention services offered in Wyoming;

18

19 (ii) Foster partnerships and outreach between
20 and within prevention services coalitions;

21

1 (iii) Coordinate training, education and support
2 for prevention services coalitions, prevention service
3 providers and the public; and
4

5 (iv) Receive funds, if available, for the
6 purpose of executing its duties and, if necessary, organize
7 and structure itself in a manner necessary to receive
8 appropriate funds.
9

10 (h) The community prevention services advisory
11 council shall be composed of the following members, each of
12 whom shall be considered a voting member:
13

14 (i) One (1) representative from each Wyoming
15 county, appointed by each board of county commissioners on
16 or before May 1 of each year and, after an initial member
17 is appointed, on or before May 1 of any year when a
18 replacement member is appointed;
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20 (ii) The director of the department of health,
21 or his designee, as an ex-officio, nonvoting member.
22

1 (j) The community prevention services advisory
2 council shall elect a chairman from among its members. The
3 council shall meet two (2) times each year and at
4 additional times as may be called by the chairman or by a
5 vote of a majority of the members. Each member of the
6 council who is a government employee shall be considered to
7 be engaged in the official conduct of their employment
8 while engaged in council business. No member of the council
9 shall receive separate compensation for service on the
10 council, but if funding is available, may receive payment
11 for travel and other necessary expenses incurred while
12 attending meetings of the council.

13

14 (k) Funding made available for grants under this
15 section may be expended by the department to pay the
16 expenses of the community prevention services advisory
17 council.

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19 (m) The department of health may promulgate rules
20 necessary for the administration of the grant program
21 authorized by this section. Any rules may include audit
22 and reporting provisions designed to ensure the proper
23 expenditure of grant funds.

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2 (n) Nothing in this section shall obligate a board of
3 county commissioners or other grant recipient to allocate
4 funding or operate any program for prevention services
5 other than as required in a grant awarded to the board
6 pursuant to subsection (b) of this section.

7

8 (o) This section is repealed effective June 30, 2020.

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10 **Section 2.** W.S. 9-2-2701(c) is amended to read:

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12 **9-2-2701. Substance abuse control plan.**

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14 (c) The department of health shall certify programs,
15 providers and facilities which meet the requirements of the
16 rules and regulations adopted under subsection (b) of this
17 section provided the department of corrections and
18 department of health shall certify programs in state
19 correctional facilities and the secure treatment facilities
20 authorized pursuant to W.S. 9-2-2704. Beginning July 1,
21 2004, no state funds provided for substance abuse treatment
22 shall be allocated to programs, providers or facilities
23 which are not certified by the department of health.

1 Beginning July 1, 2004, courts shall not refer individuals
2 for substance abuse or related treatment to programs,
3 providers or facilities which are not certified to provide
4 those services for which the individual is referred. This
5 subsection shall not apply to funds distributed for
6 prevention services under W.S. 9-2-128 when the services do
7 not constitute substance abuse treatment.

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9 **Section 3.** There is appropriated two million dollars
10 (\$2,000,000.00) from the general fund to the department of
11 health. This appropriation shall be for the period
12 beginning with the effective date of this act and ending
13 June 30, 2020. This appropriation shall only be expended
14 for the purpose of funding grants under the grant program
15 created by this act and for paying other expenses
16 authorized by this act. The department may use all or a
17 part of this appropriation to award grants which prioritize
18 suicide prevention services. Notwithstanding any other
19 provision of law, this appropriation shall not be
20 transferred or expended for any other purpose and any
21 unexpended, unobligated funds remaining from this
22 appropriation shall revert as provided by law on June 30,
23 2020.

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2 **Section 4.** The department of health shall report to
3 the joint labor, health and social service interim
4 committee on the implementation of the grant program
5 created by this act on or before September 1, 2018.

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7 **Section 5.** The joint labor, health and social service
8 interim committee shall study existing prevention service
9 programs during the 2018 and 2019 interims for the purpose
10 of recommending the continuation, improvement or sunseting
11 of the grant program created by this act. As part of this
12 task, the committee shall consider whether this grant
13 program could be incorporated into an existing program and
14 shall consider whether Wyoming statutory provisions need to
15 be repealed or amended to provide a more uniform and
16 efficient system for the administration and promotion of
17 prevention services.

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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.

5

6

(END)