

211.186 Funding for foundational public health programs -- Calculation of statewide base funding level and funding level for each public health service provider -- Eligibility for receipt of funds -- Administrative regulations -- Recordkeeping and submission of information.

- (1) In determining the total amount of funds to be allocated for the delivery of foundational public health programs, the statewide base funding level shall be calculated to ensure that:
 - (a) Each county in the Commonwealth that has fifteen thousand (15,000) or fewer residents shall have a minimum of three (3) full-time equivalent foundational public health service providers for foundational public health programs; and
 - (b) Each agency has sufficient funds to employ one (1) additional full-time equivalent foundational public health service provider for each time that one (1) additional person, in ranges of five thousand (5,000) persons, is residing in the county beyond the first fifteen thousand (15,000) persons residing in the county that the agency serves.
- (2) The funding level for each full-time equivalent foundational public health service provider shall be computed by dividing the total amount appropriated for this purpose by the number of full-time equivalent foundational public health service providers mandated by this section.
- (3) Each agency shall be eligible to share in the distribution of funds appropriated for foundational public health programs that meet the following requirements:
 - (a) Employs, or pledges to employ on receipt of funds, a minimum of one (1) full-time equivalent foundational public health service provider pursuant to the requirements of subsection (1) of this section;
 - (b) Provides or ensures the delivery of foundational public health programs within the agency's jurisdiction; and
 - (c) Dedicating funding for full-time equivalent foundational public health service providers in one (1) of the following ways:
 1. By the implementation of the ad valorem public health tax authorized by KRS 212.725 and 212.755 at a rate of at least one and eight-tenths cents (\$0.018), per one hundred dollars (\$100) of full value assessed valuation; or
 2. By the receiving of direct funding from the county or counties in which the agency operates in amount that equals what the agency would receive if the ad valorem public health tax had been levied in the county or counties the agency serves at a rate of at least one and eight-tenths cents (\$0.018), or any higher rate established by the commissioner, per one hundred dollars (\$100) of assessed property valuation.
- (4) An agency that meets the requirements established in subsection (3) of this section shall be entitled to receive an amount equal to the base funding level for each full-time equivalent foundational public health service provider, as evaluated by the Cabinet for Health and Family Services. The base funding level shall be evaluated using the following minimum factors:

- (a) The amount of funds received by the agency under subsection (3)(c) of this section;
 - (b) The statewide average costs of salary for each full-time equivalent foundational public health service provider in the agency;
 - (c) The statewide average costs of benefits for each full-time equivalent foundational public health service provider in each agency;
 - (d) The actual costs of the retirement liability contributions for each full-time equivalent foundational public health service provider in each agency as compared to other agencies throughout the state and whether the agency's equivalents participate in the Kentucky Employees Retirement System or County Employees Retirement System; and
 - (e) The statewide average costs of operating expenses to the agency associated with each full-time equivalent foundational public health service provider.
- (5) The Cabinet for Health and Family Services shall determine, on or before May 1 of each year preceding a biennial budget session of the General Assembly, the estimated amount necessary to fund the salary, benefits, unfunded retirement liability contribution, and operating expenses to the agency associated with each full-time equivalent foundational public health service provider for all agencies as calculated from the previous nine (9) month period.
- (6) The department shall establish procedures to ensure that core public health programs will be provided or ensured by one (1) or more agencies. The core public health programs, excluding all foundational public health programs, may be provided by another entity; however, the agency shall agree, as funding is available, that it will remain responsible for ensuring that these programs are provided in the event the other entity no longer provides the service.
- (7) The department shall, within sixty (60) days of March 17, 2020, promulgate administrative regulations to establish the process and procedures to ensure that core public health programs, foundational public health programs, and local public health priorities are identified and facilitated by one (1) or more agencies in the Commonwealth.
- (8) The department shall not require agencies to enter additional agreements beyond the provisions of core public health programs. Agencies may enter into contractual agreements with the department outside of programs and services defined in KRS 211.185.
- (9) An agency shall maintain records and submit information as required by the department to administer this section.
- (10) Notwithstanding KRS 211.170 and 212.120, any moneys allocated pursuant to this section for foundational public health programs is allowable.

Effective: March 17, 2020

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