



STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH SERVICES

Lori A. Shibinette
Commissioner

Lisa M. Morris
Director

29 HAZEN DRIVE, CONCORD, NH 03301
603-271-4501 1-800-852-3345 Ext. 4501
Fax: 603-271-4827 TDD Access: 1-800-735-2964
www.dhhs.nh.gov

March 12, 2021

The Honorable Jess Edwards, Chair
Finance, Division III
State House
Concord, NH 03301

Subject: Request for Additional Information- DHHS Division of Public Health Services

Thank you for providing the opportunity for the Division of Public Health Services (DPHS) to meet with the committee to respond to questions in review of the SFY 22-23 budget. During our session on March 10, 2021, requests were made for additional information, which we are providing to you below.

1. PH Systems, Policy and Performance Accounting Unit 901010-5362 page 1022 (Governor's Operating Budget)

Request 71: provide information on increase in general funds allocated between SFYs 2020 to 2021.

Response: The salary and benefits in the AU are budgeted at 46% General and 54% Federal. In SFY20 the positions were allocated at a higher rate to federal funds instead of General, thus the lower amount expended in SFY20. We will be looking into how the positions are being allocated in SFY21 to see if we will continue to utilize a higher rate of federal funds.

2. Food Protection Accounting Unit 901510-5390 page 1027 (Governor's Operating Budget)

Request 72: provide information on how food protection licensing fees will affect the food industry, particularly restaurants, considering economic and other effects of the Covid-19 pandemic.

Response: Since the start of the pandemic, the Department has not received any feedback from the food industry regarding hardship over the payment of license application fees. In consideration of potential economic hardship on the food industry, especially restaurants, the Department decided early in the pandemic to waive any fines associated with the late payment of license application fees. This waiver was in place from March until September of 2020. The Department did not see any significant change in the number of licensees submitting late renewal applications and fees when compared to previous years.

Throughout the pandemic, the Department has allowed a food service establishment to put their food license on hold and not pay license renewal fees if the establishment is not in operation due to the pandemic. The Department is willing to work with any food service establishment in the event of a hardship situation including, establishing a payment plan for licensing fees. The Department's authority to establish and collect fees for the Food Protection Program is codified in NH RSA 143-A:6, Application; Issue Fee, the Dairy Program in RSA 184:85 Licenses; Fees, the Shellfish Program in RSA 143:22-a Shellfish Certificate Fees, and the Beverage and Bottled Water Program in RSA 143:11 License; Fees.

The various licensing categories and associated fees which regulated entities apply for on an annual basis are specified in NH Code of Administrative Rules, He-P 2100, Beverages and Bottled Water, He-P 2300, Sanitary Production and Distribution of Food, and He-P 2700, Milk Producers, Milk Plants, Producer-Distributors, and Distributors. The majority of the annual revenue generated from these fees contribute to the general fund. The last time any changes were made to the Department's Food Protection fees occurred in 2009 at the direction of the legislature. No changes in fees have been made in over twelve years. Based on the current fee rates and the number of licensees, the Food Protection Section generates approximately \$1,550,000 annually, of which approximately \$1,400,000 is generated by food service establishments including restaurants. The majority of this revenue is directed to the general fund, which is then used to support the Department's Food Protection Section. Any reduction in fees would impact revenue to the general fund and support for the Food Protection Section.

3. Radiological Health Fees Accounting Unit 901510-5391 page 1028 (Governor's Operating Budget)

Request 73: Provide information on increases to radiological health fees.

Response: In accordance with NH RSA 125-F:8 Radiation User and Laboratory Fees, the Department of Health and Human Services is authorized to collect license and registration fees for the issuance, amendment, and renewal of general or specific licenses and/or registrations for radioactive materials and radiation machines.

The schedule of annual radiological health fees for radiological materials licenses and equipment registrations are referenced in NH Code of Administrative Rules He-P 4070.05, Schedule of Annual Fees for Radioactive Material Licenses and General Licensed Device Registrations and He-P 4070.06, Schedule of Annual Fees for Certificates of Registration for Radiation or MRI Machines.

The Department first established fees for radioactive materials and radiation machines in 1995. Substantial revisions were made to these rules in 2003 to ensure adequate support of the Department's Radiological Health Program. Since 2003, only minor revisions have been made to these regulations to address new technology or provide clarity on the categories of regulated materials or machines. No changes in fees have been made to the radioactive materials fees since 2015 and 2017 for radiation machines.

Increases in fees at regulated entities would be attributable to either changes in existing equipment at the facility (for example, adding additional x-ray machines), or upgrading existing equipment to newer technology that is categorized differently.

This dedicated fund supports program staff and radiological program activities.

4. Lead Prevention Accounting Unit 901510-7964 page 1032 (Governor's Operating Budget)

Request 74: Provide information on how federal funds are obtained for the lead prevention program, particularly whether there is any state-federal fund match requirement.

Response: There are two main grants that support this accounting unit, a 2-year award from the Centers for Disease Control and Prevention (CDC) and a 2-year award from the U.S. Environmental Protection Agency (EPA). There are no state match requirements for either grant. Both CDC and EPA use formulas to determine the grant award amounts for each state.

For the CDC award: The funding eligibility for states is first determined by a maximum base award of \$300,000 per year per state. States that are deemed high-risk, or have identified high-risk geographic areas are eligible for an award of \$150,000 per year with a maximum amount of 3 awards per state. This risk is based on CDC's criteria of using data from the U.S. Census (2016) on total population and proportions of populations including poverty-to-income ratio less than 1, pre-1950 housing; black non-Hispanic and foreign-born populations. In addition, all states are eligible for an optional award if the state agrees to implement population-based interventions.

For the EPA award: EPA uses a two-tiered system for determining award-funding levels for States. This system provides a base funding level for each authorized program while providing funds targeted to States with the largest program workload and with the greatest potential lead burden. The base funding set-aside provides a base level of funds for every State. Each State that has an authorized lead-based paint abatement program receives a base funding allotment. In calculating the lead burden for the formula rankings, EPA uses readily available data derived from the 2017 Census and the 2001 National Survey of Lead and Allergens in Housing prepared by the U.S. Department of Housing and Urban Development (HUD). The formula uses four factors to generate an estimate of the potential lead problem, or "lead burden," in each state; the number of housing units built before 1980 and the number of children under age five, the percentage of children under five in

poverty and the number of low-income housing units with lead-based paint. The estimated workload of each state is estimated based on the state's lead-based paint abatement program data.

5. Family Planning Accounting Unit 902010-5530 page 1045 (Governor's Operating Budget)

a. Request 75: Provide information on expected cost in general funds to fund the Family Planning Program between July and October 2021 while waiting for anticipated federal funds.

Response: We anticipate the expected cost to support seven (7) agencies between July and October 2021 will be \$411,844. These seven agencies are currently funded only through General and TANF Funds. The agencies do not receive federal funding due to ineligibility for the Title X funding program. These providers are not able to comply with the 2019 Title X rule that tighten restrictions on eligible health care centers. The current contracts with these seven agencies will end on June 30, 2021.

Here is the breakdown of information of the current funds and expected costs between July and October 2021 for each agency:

Family Planning Contracts	SFY 2020 Current Funding *			
	General	TANF	Total	July-October 2021 Funding
Amoskeag Health (Formally Manchester Community Health Center)	\$109,925	\$22,618	\$132,543	\$33,136
Concord Hospital Family Health Center	\$96,517	\$33,032	\$129,549	\$32,387
Coos County Family Health Services	\$66,274	\$12,361	\$78,635	\$19,659
Equality Health Center	\$78,400	\$11,500	\$89,900	\$22,475
Lamprey Health Care	\$201,582	\$29,719	\$231,301	\$57,825
Joan G. Lovering Health Center	\$99,948	\$11,500	\$111,448	\$27,862
Planned Parenthood of Northern New England (PPNNE)	\$874,000	-	\$874,000	\$218,500
TOTAL	\$1,526,646	\$120,730	\$1,647,376	\$411,844

* G&C Approved 06/19/2019, #78F

There is no guarantee the federal Title X rule will be reversed by the start of the new federal fiscal year.

b. Request 76: Provide information on the effect to healthcare providers and recipients due to anticipated federal funding shortfalls within the Family Planning Program between July and October 2021.

Response: Without general funding, the agencies would not be able to provide low cost reproductive and sexual health services. The funding also supports comprehensive health care visits, which includes valuable cancer screenings that individuals may not be able to afford at other health centers. A funding gap of 3 months could result in approximately 3,800 New Hampshire residents not having access to affordable, high quality reproductive and sexual health care services. In SFY 20, these agencies provided 89% of the pap tests and 67% of breast exams for cancer screenings within the Title X and non-Title X family planning program. In SFY20, 97% of chlamydia and gonorrhea testing in the program was completed by these providers. This funding deficiency can result in an increase of unintended pregnancies, decrease in preventive health screenings and an increase in sexually transmitted infection rates.

The Southern Tier of the New Hampshire will be the most impacted by the removal of general funding as six (6) of the agencies have clinics located within this region. This region is the most densely populated and diverse in the state. The agencies impacted by this funding serve yearly, approximately 52% of the total clients served by the program. Many of these agencies listed are Federally Qualified Health Centers (FQHCs).

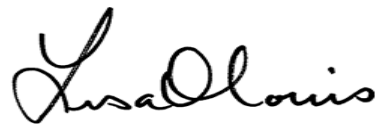
The loss of funding would also impact staff at the clinics and may result in loss of jobs as funding supports staff time in these clinics. In SFY 20, program funding supported 118 health care center staff including healthcare providers and other allied staff.

c. Request 77: Provide information on SFY 2019 budgeted general funds for the Family Planning Program.

Response:

	A	B	C	D	E	F	G	H	I
1	#77.	Family Planning Accounting Unit 5530							
2		SFY 2019 Adjusted Authorized Budget							
3									
4		General Funds		\$ 595,990					
5		Federal Funds		\$ 1,165,553					
6									
7									
8									
9		SFY 2018 & 2019 had additional Federal Funds allotted to FP from the 1115 Waiver from DSHP funding so the General funds were not budgeted in full as they normally would be.							
10									
11									
12									
13									
14									
15		The below is from the State's Budget System:							
16									
17				FY2016 Enacted	FY2017 Enacted		FY2018 Enacted	FY2019 Enacted	
18									
19		<u>0010 General Fund</u>		794,740	794,740		595,990	595,990	
20		<u>16 Operating Grants Federal</u>		724,336	723,846		1,161,784	1,164,080	
21		Total Funding		1,519,076	1,518,586		1,757,774	1,760,070	
22									
23									
24									
25									

Respectfully submitted,



Lisa Morris, Director