



March 12, 2007

Honorable Senator Dan Weinberg, Chair  
Senate Public Health and Welfare Committee  
Montana House of Representatives  
Capitol  
Helena, MT 59620

Dear Honorable Representative Weinberg:

**I write in support of HB92, an Act Modernizing Public Health Statutes.**

This bill proposes revisions to Montana's long-standing public health statutes that:

- 1) Bring the state and local public health systems up to date to address the contemporary diseases affecting Montana's such as the chronic diseases which have surpassed communicable diseases as our top public health problems; and,
- 2) Upgrade the legal framework necessary to keep communicable diseases in check and to better prepare and respond to new communicable diseases such as West Nile Virus, SARS, or a pandemic strain of influenza; and,
- 3) Retain Montana's tradition of respecting the concerns and influence of local citizens through the public forum of local health boards appointed by locally elected officials while better delineating state and local roles.

The bill's current language was initially and in part informed by national guidance used by the many states that have recently upgraded their public health laws, but was primarily shaped by the several-years process of discussion and deliberation that took place at the community level across our state. Most recently, discussion in a House subcommittee resulted in further amendment on which we are settled.

The Missoula City-County Health Board and the Missoula City-County Health Department strongly urge a recommendation of do pass on HB92. Thank you for your consideration of my comments.

Sincerely,

Ellen Leahy  
Health Officer



## Flathead City-County Health Department

1035 First Ave. West Kalispell, MT 59901  
(406) 751-8101 FAX 751-8102  
[www.flatheadhealth.org](http://www.flatheadhealth.org)

Community Health Services  
751-8110 FAX 751-8111  
Environmental Health Services  
751-8130 FAX 751-8131  
Reproductive Health Services  
751-8150 FAX 751-8151  
Home Health Services  
751-6800 FAX 751-6807  
WIC Services  
751-8170 FAX 751-8171

March 9, 2007

The Honorable Dan Weinberg, Chairman  
Senate Public Health, Welfare and Safety Committee  
Montana State Senate  
PO Box 200500  
Helena, MT 59620-0500

Re: House Bill 92 – Public Health Statute Modernization

Dear Senator Weinberg,

The Flathead City-County Health Department supports HB 92, an Act modernizing public health statutes. The existing public health laws are antiquated and are not capable of addressing contemporary public health threats facing our communities such as pandemic influenza, and new and emerging chronic diseases such as obesity-related diabetes.

Not many Bills will be introduced this session that have been so thoughtfully prepared. We in the public health community have been working on modernizing our statutes for many years. We have incorporated the very best template created by leading national public health organizations to establish our process for change. Most notable, the Montana public health system worked with attorneys from Georgetown and Johns Hopkins Universities' Center for Law and the Public's Health to identify key areas of the Montana law that most needed updating.

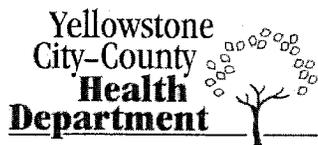
Most notable, the fruits of our labor and the amendments before you will:

- Clearly defines the basic authorities and responsibilities of public health entities;
- Creates a system that builds relationships throughout the public health system;
- Defines conditions of public health importance; and
- Utilizes contemporary public health practices to address these conditions.

We hope you view these amendments favorably and consider this Bill an important aspect of public health's ability to "assure conditions in which people can be healthy" as cited in our own mission statement. Please contact me at (406) 751-8103 if you have any question regarding our position in support of HB 92.

Sincerely,

  
Joseph W. Russell, R.S., M.P.H.  
Health Officer



Phone (406) 247-3200 • Fax: (406) 247-3202  
123 South 27<sup>th</sup> Street • P.O. Box 35033 • Billings, MT 59107

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March 9, 2007

The Honorable Dan Weinberg, Chairman  
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PO Box 200500  
Helena, MT 59620-0500

RE: HB 92 – Modernization of Public Health Statutes

Dear Senator Weinberg and Members of the Senate Public Health, Welfare and Safety Committee:

On Monday, March 12<sup>th</sup>, 2007 you will hear HB 92, the Public Health Modernization Act, which is being sponsored by Representative Eve Franklin. This bill is in part based on the Model State Public Health Act which was developed by a number of leading national public health organizations with support from the Robert Wood Johnson Foundation. The Model Act has been the basis of nearly 80 bills and/or resolutions in 32 states since 2003.

Montana's public health statutes are woefully out-dated, with many written into law prior to 1950. Just as one should practice medicine with the most up-to-date scientific information, public health statutes should also reflect the most current public health practices. HB 92 seeks to support modern disease control measures which address current and emerging health problems and threats such as chronic disease and injury as well as pandemic influenza and the like. HB 92 also seeks to delineate the roles and responsibilities in the collaborative relationship between the many partners within the public health system including the state health department, local health departments and tribal governments.

HB 92 is the result of a multi-year process and numerous discussions held across the state. The concepts within HB 92 have been vetted by the Montana Association of Counties, the Montana County Attorney's, the Montana Public Health Association, local boards of health and others. In addition, members of the Legislature also had the opportunity to provide feedback during the development of HB 92. The amendments that were added to HB 92 in the House of Representatives are ones that do not substantially alter the bill's intent and they are supported by the public health community.

There are many players in the public health system and your support of HB 92 is paramount in protecting the health and safety of all Montanans. On behalf of the Yellowstone City-County Board of Health, I thank you for your thoughtful consideration of HB 92 and look forward to working with you toward the bill's successful passage into law. If you have any questions, please do not hesitate to contact me at [barbaras@ycchd.org](mailto:barbaras@ycchd.org) or 651-6420.

Sincerely,

Barbara Schneeman, Manager  
Communications and Advocacy

CC: Representative Eve Franklin, Senators Kim Gillan, Lynda Moss, Greg Lind



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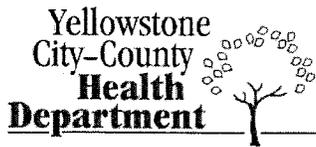
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Health Officer



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