

**DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
FY 2009-10 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Monday, December 15, 2008
1:30 pm – 5:00 pm**

1:30-2:10 INTRODUCTIONS AND OPENING COMMENTS

2:10-2:30 QUESTIONS COMMON TO ALL DEPARTMENTS

1. What are your department's three top goals for the current year? How will they be achieved?
2. How do your requested decision items tie to your goals?
3. Could your department shift to a four day work week that begins on Wednesday and ends on Saturday? If not, why not? If only a portion of the department can go to a four day week, what portion can and what portion cannot and why?
4. Has your department been able to fill new or vacant positions? Can your department quantify the benefits it has seen as a result of adding additional FTE or filling vacant positions?
5. What is the status of your department's implementation of S.B.08-155, Centralize IT Management in OIT? Is your department experiencing any difficulties?
6. If you have submitted a General Fund decision item, justify why it must be funded in FY 2009-10 and why it cannot be postponed until FY 2010-11.
7. How many employees, especially among upper management, are assigned a state vehicle for them to use to travel between home and work? How many state vehicles does your department use to transport staff? Would it be more cost effective to reimburse employees for using their personal vehicles for these purposes?

- BREAK -

ENVIRONMENTAL DIVISIONS

2:30 – 3:00 DECISION ITEMS

Decision Item #5 – Operation and Maintenance of the Argo Tunnel Water Treatment
[see Environmental Divisions' briefing document issue pp. 14-16]

8. Please provide some additional information on the State's long term liability related to the Superfund program, including projects with long term operating and maintenance needs similar to those of the Argo Tunnel Water Treatment Plant. What is the State's ultimate annual potential responsibility for Superfund sites? Please discuss the other sites where the

Department knows that EPA's payment of costs will end and result in similar increases in state costs.

9. Please provide additional detail on ASARCO's financial situation and the potential impacts on the State and the solvency of the Hazardous Substance Response Fund. Is the bankruptcy related to the company's potential Superfund liabilities?
10. Please provide additional detail on the heavy metals being removed by the Argo Tunnel Water Treatment Plant. What are they? Could we offset some of the plant's costs by recovering the heavy metals? Given the potential long term costs of operating the plant, would it be possible to simply seal the tunnel and contain the contaminants?

Decision Item #7 – Solid Waste Program Additional FTE

[see Environmental Divisions' briefing document pg. 9]

11. The request asks for 3.4 additional cash funded FTE for the solid waste program, and the decision item specifically mentions large increases in the number of solid waste impoundment facilities subject to oversight by the solid waste program. Please discuss what is driving the program's increased workload related to impoundment facilities. What has changed at the existing waste water facilities to drive an increase in program oversight that will require additional FTE?

Decision Item #8 – Radiation Control Program Uranium Licensing and Inspection

[see Environmental Divisions' briefing document pg. 9]

12. The request asks for 2.0 additional FTE for the uranium licensing and inspection program, based on the department's anticipation of two new uranium mill license applications. Please provide additional detail about the uranium licensing and inspection program. How many FTE does the program have now? Where are the new uranium milling operations supposed to be and when do you anticipate them opening?

Decision Item #14 – Oil and Gas Conservation Commission

[see Environmental Divisions' briefing document pg. 10]

13. The request is for \$25,375 to maintain two software systems approved in an interim supplemental in September 2008. Did the department anticipate the need for this amount of resources to maintain the software systems when it proposed the interim supplemental? If not, why not? Why does maintenance cost this much relative to the supplemental?

3:00 - 3:15 CASH FUNDING THE CONSUMER PROTECTION DIVISION'S MILK AND DAIRY PROGRAM

[See Environmental Divisions' briefing document issue pp. 17-22]

[Background Information: The briefing document recommends cash funding the milk and dairy program through increased fees on the dairy industry, including increased fees for processing plants, haulers, and samplers, as well as new fees on dairy farms. The program is currently funded with General Fund.]

14. According to the Dairy Farmers of America (DFA), DFA operates the only certified milk testing lab in Colorado. Please discuss the reasoning behind the degree of inspections and testing performed by the dairy program when DFA is already testing the milk and milk that does not pass the test cannot go to market.
15. Please discuss the Department of Corrections' dairy operation. Does that dairy pay fees? Does it receive any exemptions from the department?
16. At the briefing, staff discussed breakage of seals on pasteurizers as one driver of the program's workload and slow response times to such breakages as a potential complaint by the processors. Please explain what would cause a seal to break.

3:15 - 3:30 WATER QUALITY CONTROL DIVISION – PROGRAMMATIC DEMANDS AND RESOURCE NEEDS

[see Environmental Divisions' briefing document issue pp. 23-29]

17. The Department's report in response to Request for Information #55 indicates a need for 53.5 additional FTE to allow the division to meet its statutory responsibilities in the next three years. Please discuss the sources of the Water Quality Control Division's increased workload. How much of the increased cost is due to anticipated new development? Do the department's calculations account for a reduction in new development going forward as a result of the economic climate? Please discuss how new developments would impact the program's workload; for example, do new streets and parking lots drive an increase in workload?
18. If the State does not hire the FTE discussed in the Water Quality Control Division report, will we be out of compliance with federal law?
19. Please provide information on the Water Quality Control Division's current ability to comply with both state and federal law. What is the downside to the U.S. EPA assuming responsibility for these programs if the State is out of compliance?

3:30 – 3:45 GENERAL QUESTIONS

Oil and Gas Development and the Air Quality Control Division

[see Environmental Divisions' briefing document pp. 4-5]

20. The department cites increased oil and gas development as a driver for the Air Quality Control Division's workload. Please provide additional detail on how the increase in oil and gas development drives the division's workload. How do the department's additional FTE (appropriated over the past two years) relate to the FTE appropriated to the Department of

Natural Resources? Is growth in the number of permits driving the need for additional resources? Are there now sufficient FTE to handle these regulations?

Clean Screen and High Emitter Programs

[see Environmental Divisions' briefing document pg. 5]

21. The department is continuing to test the high emitter pilot program. With respect to the high emitter program, does the department keep track of the brand and model of vehicles that are having difficulties passing vehicle emission tests? If so, please provide a copy of this information. If not, why not?

Lobbying Activities

22. What are the aggregate salaries of FTE and contract employees who, at any time during the year, spend a portion of their time lobbying the State House or Senate?

Waste Tire Recycling

23. Please provide information on who has received grants under the Recycling Resources Economic Opportunity Program and the Advanced Technology Research Grants Program in FY 2007-08 and FY 2008-09.

- BREAK -

ADMINISTRATIVE AND HEALTH DIVISIONS

4:00-4:15 GENERAL QUESTIONS

24. What federal funds does the Department expect to receive for FY 2008-09? What are the matching requirements? How many FTE are supported by those grants? Are these federal funds on-going, or one-time in nature?
25. Please explain how the Department evaluates grant applications for programs that are supported by money from the tobacco Master Settlement Agreement and Amendment 35 tobacco taxes, i.e. for grants issued by the Tony Grampsas Youth Services Program, the Cardiovascular, Pulmonary, and Chronic Disease Grant Program, the Tobacco Education, Prevention and Cessation Grant Program, the Colorado HIV-AIDS Prevention Grant Program, and the Health Disparities Grant Program. Please include information on how you select recipients, including the role of review boards and the conditions under which the Department or the State Board of Health may overrule review-board recommendations. Please provide, for a recent round of grants, the rankings of the advisory board and the final grant decisions for these programs. Please explain any differences.

4:15-4:45 DECISION ITEMS

Decision Item #1 – Surveillance and Public Health Outbreak Response

[see Administrative and Health Divisions Briefing Document, page 9]

26. Could animal- or insect-borne disease testing, such as testing for rabies and plague, be done at lower cost on a contract basis by (1) state laboratories located in other states, (2) university laboratories within the state, where the testing might be done by graduate students, (3) private laboratories, or (4) local public health department laboratories such as those operated by the Weld County Department of Public Health and Environment.
27. Could serological testing, i.e. testing of human blood samples, be done at lower cost on a contract basis by (1) state laboratories located in other states, (2) university laboratories within the state, (3) private laboratories, or (4) local public health department laboratories.
28. This decision item includes \$150,000 to support the Lab's radiochemistry testing program. Is this program still needed given the closure of Rocky Flats in 2006 and the elimination of Federal support for the State's radiochemistry program following that closure? Do other states operate similar programs?

Decision Item 2, Emergency Preparedness and Response.

[see Administrative and Health Divisions Briefing Document, page 9]

29. What has Colorado done to plan and prepare for a pandemic flu outbreak?
30. What are estimates for public health costs if we have to react to a pandemic flu outbreak?
31. What is Colorado doing about anti-viral drugs?
32. What are surrounding states spending on preparedness? What preparedness plans have they put in place?

Decision Item 9, Administration and Support - Leased Space.

[see Administrative and Health Divisions Briefing Document, page 10]

33. Could the Department lease storage space off-site, move some of the items that it is currently storing on-site to this less expensive storage space, and put FTE in the freed space?

Decision Item 11, Human Resources Professional Staff.

[see Administrative and Health Divisions Briefing Document, page 11]

34. Given the state hiring freeze, is there still a need for the added human resources professional that the Department is requesting? How long is the hiring freeze expected to last?

Decision Item 12, Administration and Support - Operating.

[see Administrative and Health Divisions Briefing Document, page 11]

35. Could copying be handled at lower cost by a private contractor rather than by doing the copying in-house?

4:45 - 5:00 REQUESTS FOR INFORMATION

Request for information 58, The Immunization Outreach Program
[Administrative and Health Divisions Briefing Document, page 77].

36. What metrics does the Department use to evaluate the effectiveness of this program?

37. Given these metrics, how well is this program performing?

38. Would some or all of the money being spent on this program be better spent on expanding the Colorado Immunization Information System (CIIS), which received \$605,000 of extra funding through a decision item last year?

Request for information 59, The Tony Grampsas Youth Services Program
[Administrative and Health Divisions Briefing Document, page 82].

39. The Department recently contracted with the OMNI Institute at a cost of \$185,000 to monitor and evaluate the programs being delivered by grantees. How often are grantees reviewed? Could monitoring and evaluation costs be reduced by less frequent review or by bringing the monitoring and evaluation function in-house?