

1 HOUSE JOINT RESOLUTION NO. 1  
 2 INTRODUCED BY M. MCCANN  
 3 BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE  
 4

5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
 6 MONTANA PROVIDING FOR A MENTAL HEALTH SERVICES OVERSIGHT SUBCOMMITTEE OF THE  
 7 LEGISLATIVE FINANCE COMMITTEE FOR THE 2001-02 INTERIM.  
 8

9 WHEREAS, the Legislative Finance Committee's House Joint Resolution No. 35 Subcommittee on  
 10 Mental Health has monitored the change from a managed care contract back to a fee-for-service  
 11 reimbursement for public mental health services and has studied many issues relating to the care of  
 12 persons with serious mental illness and of children with serious emotional disturbances; and

13 WHEREAS, the ultimate public policy goal of the integration of mental health services within the  
 14 various divisions of the Department of Public Health and Human Services, between state agencies, and  
 15 in cooperation with local governments will require integration of study between multiple legislative interim  
 16 committees in fulfillment of their respective statutory responsibilities; and

17 WHEREAS, THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES HAS A MENTAL HEALTH OVERSIGHT  
 18 ADVISORY COUNCIL THAT PROVIDES INPUT TO THE DEPARTMENT IN THE DEVELOPMENT AND MANAGEMENT OF ANY PUBLIC  
 19 MENTAL HEALTH SYSTEM AND IS REQUIRED TO PROVIDE TO THE LEGISLATIVE FINANCE COMMITTEE AND OTHER  
 20 APPROPRIATE INTERIM COMMITTEES COPIES OF MEETING SUMMARIES AND RECOMMENDATIONS MADE TO THE DEPARTMENT  
 21 BY THE ADVISORY COUNCIL AND THE DEPARTMENT IS REQUIRED TO REPORT ITS RESPONSE TO THOSE RECOMMENDATIONS;  
 22 AND

23 WHEREAS, the Children, Families, Health, and Human Services Interim Committee and the  
 24 Legislative Finance Committee are both involved in various aspects of monitoring the Department of Public  
 25 Health and Human Services, including the Addictive and Mental Disorders Division; and

26 WHEREAS, many of the issues that have been raised involve the corrections and criminal justice  
 27 systems that are under the purview of the Law, Justice, and Indian Affairs Interim Committee and affect  
 28 agencies monitored by the Legislative Finance Committee; and

29 WHEREAS, mental health issues arise in the context of veterans' health care needs encountered  
 30 by the State Administration, Public Retirement Systems, and Veterans' Affairs Interim Committee and



1 interact with various aspects monitored by the Legislative Finance Committee; and

2 WHEREAS, the issues revolving around mental illness touch many areas of government, and many  
3 resources must be brought to bear to understand the issues, to work towards resolution, and to provide  
4 strong public policy direction for the further integration and delivery of public mental health care services.  
5

6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
7 STATE OF MONTANA:

8 That a joint interim subcommittee of the Legislative Finance Committee be formed with members  
9 of the Legislative Finance Committee; the Legislative Audit Committee; and the Interim Committees of  
10 Children, Families, Health, and Human Services; Law, Justice, and Indian Affairs; and State Administration,  
11 Public Retirement Systems, and Veterans' Affairs and that the subcommittee continue the monitoring and  
12 oversight of the further integration and delivery of public mental health services.

13 BE IT FURTHER RESOLVED, that the goal of the study be the integration of services within the  
14 Department of Public Health and Human Services and across all state agencies that serve adults with  
15 mental illness or children with serious emotional disturbances and adults or children with other coexisting  
16 disorders in cooperation with local governments and school districts and include the following areas of  
17 concern:

18 (1) the continued development of appropriate and effective community services to serve persons  
19 in the least restrictive environment;

20 (2) the development of methods to ensure maximum leverage of federal funds, the cost-effective  
21 provision of services, and the use of best practices, including the evolution of more sophisticated case  
22 management;

23 (3) the issues of commitment to community facilities, programs, and treatment and involuntary  
24 medication identified in the 1999-2000 interim process;

25 (4) the interaction of mental health services and the courts and criminal justice and corrections  
26 systems in terms of training those who come in contact with persons with mental illness, diversion of  
27 persons with mental illness from the criminal justice system to mental health services, appropriate  
28 treatment in jails and prisons, local government responsibilities for transportation of persons with mental  
29 illness, the differences in the incidence of mental illness and the treatment offered to male and female  
30 inmates, and cost-shifting between state agencies for mental health services;

1 (5) the structure and financing of mental health services available for veterans and the extent to  
2 which U.S. Department of Veterans Affairs resource allocation decisions may shift costs to state and local  
3 services and the consideration of options for mitigating the consequences; ~~and~~

4 (6) CHILDREN NEEDING MENTAL HEALTH SERVICES AND THE CHILD MENTAL HEALTH SERVICES SYSTEM; AND  
5 ~~(6)~~(7) other emergent issues regarding mental health services.

6 BE IT FURTHER RESOLVED, THAT THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES HAS THE  
7 RESPONSIBILITY TO ADMINISTER THE PUBLIC MENTAL HEALTH SYSTEM AND THE MENTAL HEALTH OVERSIGHT ADVISORY  
8 COUNCIL IS INTENDED TO PROVIDE INPUT TO THE DEPARTMENT IN THE FURTHER DEVELOPMENT OF THE PUBLIC MENTAL  
9 HEALTH SYSTEM. THE PURPOSE OF THE JOINT INTERIM SUBCOMMITTEE IS TO MONITOR THE DEPARTMENT'S PROGRESS,  
10 INCLUDING THE ACTIVITIES AND RECOMMENDATIONS OF THE ADVISORY COUNCIL OR OTHER CONSULTANTS, IN THE  
11 DEVELOPMENT OF A MORE INTEGRATED CONTINUUM OF MENTAL HEALTH SERVICES, ESPECIALLY REGARDING THE AREAS  
12 OF CONCERN MENTIONED IN THIS RESOLUTION. IT IS THE PURPOSE OF THE JOINT INTERIM SUBCOMMITTEE TO MONITOR AND  
13 ANALYZE THE EXPENDITURES OF THE PUBLIC MENTAL HEALTH SYSTEM AS ONE OF ITS RESPONSIBILITIES AS A  
14 SUBCOMMITTEE OF THE LEGISLATIVE FINANCE COMMITTEE. THE JOINT INTERIM SUBCOMMITTEE IS REQUESTED TO  
15 MONITOR AND LIMIT TO THE EXTENT POSSIBLE ANY REDUNDANCIES BETWEEN THE VARIOUS COMMITTEES AND AGENCIES  
16 STUDYING MENTAL HEALTH SERVICES PROVIDED BY PUBLIC AGENCIES.

17 BE IT FURTHER RESOLVED, that the Legislative Finance Committee and the Legislative Council  
18 cooperate to determine the appropriate staffing of the subcommittee from the staff of the Legislative Fiscal  
19 Division and the Legislative Services Division. The subcommittee shall report its findings and  
20 recommendations to the Legislative Finance Committee.

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