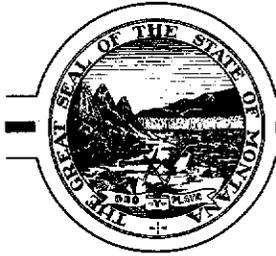


DEPARTMENT OF  
PUBLIC HEALTH AND HUMAN SERVICES  
DIVISION OF QUALITY ASSURANCE

EXHIBIT 2  
DATE 3-10-05  
HB 628



BRIAN SCHWEITZER  
GOVERNOR

DR. ROBERT WYNIA  
DIRECTOR

STATE OF MONTANA

Phone (406) 444-2037  
Fax (406) 444-3980

2401 Colonial Drive  
3rd Floor  
PO Box 202953  
Helena, Montana 59620-2953

**TESTIMONY OF THE DEPARTMENT OF PUBLIC HEALTH  
AND HUMAN SERVICES  
BEFORE THE HOUSE APPROPRIATION COMMITTEE  
MARCH 10, 2005**

RE: HB 628 "AN ACT PROVIDING FOR A BOARD OF PRIVATE ALTERNATIVE ADOLESCENT RESIDENTIAL PROGRAMS; PROVIDING FOR REGISTRATION WITH THE DEPARTMENT OF LABOR AND INDUSTRY; PROVIDING BOARD DUTIES; AND REQUIRING A REPORT TO THE LEGISLATURE ON THE NEED FOR ANY ADDITIONAL REGULATION."

The Department of Public Health and Human Services is testifying today as an informational witness to provide you with some background on our licensure functions. The Department of Public Health and Human Services (or DPHHS) currently licenses 380 residential facilities, 561 health care facilities, and 1629 child day care providers. The majority of these facilities serve clients who pay privately as well as though who have Medicare, Medicaid, private insurance or some other source of state funding.

HB 628 proposes a board be formed at the Department of Labor. We know of no other state that uses a board to regulate facilities. In Montana, and most other states, "boards" govern professions such as nursing, psychologists, and nursing home administrators. The function of these boards is to approve professional curriculums; set testing standards and test for professional competency; promulgate rules guiding professional standards; and discipline if needed. Boards do not license facilities because you cannot "test" a facility to determine competency. You must go on-site and examine the practices in the facility. The Department of Labor does not regulate any residential or health care facilities. They do use investigators that are attached to a board to look at two facility types: mortuaries and beauticians and barbers (cosmetology). Neither of these facilities compare to the services being proposed under HB 628.

The Department of Public Health and Human Services is the Department in state government that has licensure expertise for facilities with a focus on public health and safety. I would be happy to answer any questions regarding facility licensure that you may have.

Respectfully submitted,

Handwritten signature of Mary E. Dalton in cursive.

Mary E. Dalton, Administrator  
Quality Assurance Division

med/leg/testimonyhb628