

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: By **CHAIRMAN DAN WEINBERG**, on February 23, 2007 at 3:00 P.M., in Room 317-A Capitol.

ROLL CALL

Members Present:

Sen. Dan Weinberg, Chairman (D)
Sen. Lynda Moss, Vice Chairman (D)
Sen. John Cobb (R)
Sen. John Esp (R)
Sen. Kim Gillan (D)
Sen. Terry Murphy (R)
Sen. Jerry O'Neil (R)
Sen. Trudi Schmidt (D)
Sen. Carol Williams (D)

Members Excused: None.

Members Absent: None.

Staff Present: Prudence Gildroy, Committee Secretary
Lisa Mecklenberg Jackson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 428, 2/15/2007; SB 500,
2/15/2007; SB 522, 2/19/2007
Executive Action: SB 498; SB 428; SB 500; SB 522;
SB 518; SB 336

00:00:00

HEARING ON SB 428

Opening Statement by Sponsor:

00:00:30 **SEN. CHRISTINE KAUFMANN (D), SD 41**, opened the hearing on **SB 428**, Assurance coverage of routine costs of clinical trials.

EXHIBIT (phs41a01)

Proponents' Testimony:

00:06:06 Tom Purcell, Medical Oncologist, Montana Cancer Control Coalition

EXHIBIT (phs41a02)

00:12:12 Stan Hill

00:15:43 Ben Marchello, Medical Oncologist, Montana Cancer Consortium, Billings

00:21:33 Lois Fitzpatrick, Montana Cancer Control Coalition

00:24:11 Kristin Page Nye, American Cancer Society

EXHIBIT (phs41a03)

EXHIBIT (phs41a04)

00:25:50 Mark Vurzski, Blue Cross Blue Shield

00:27:01 Angela Hrschka, New West Health Services

00:27:20 Frank Cote, America's Health Insurance Plans

Opponents' Testimony: None.

Informational Testimony:

00:28:02 Mary Dalton, Health Resources Division, DPHHS

00:28:16 Cori Cook, EBMS, Billings

00:29:43 Sen. Weinberg to Cori Cook

00:30:04 Connie Welsh, Department of Administration

Questions from Committee Members and Responses:

00:30:24 Sen. Murphy to Mary Dalton
00:31:11 Sen. Weinberg
00:31:24 Sen. Cobb to Lisa Jackson, Legislative Services
00:31:44 Sen. Weinberg
00:32:13 Sen. Gillan to Sen. Kaufmann
00:35:20 Sen. Weinberg to Kristin Page Nye
00:36:34 Sen. O'Neil to Mary Dalton
00:37:18 Sen. Weinberg to Mary Dalton
00:38:10 Sen. O'Neil to Sen. Kaufmann

Closing by Sponsor:

00:40:05 Sen. Kaufmann

HEARING ON SB 500

Opening Statement by Sponsor:

00:41:04 **SEN. CHRISTINE KAUFMANN (D), SD 41**, opened the hearing on **SB 500**, Remove prohibition of CHIP insurance for contraception.

Proponents' Testimony:

00:44:41 Olivia Ryutta, WEEL

EXHIBIT (phs41a05)

00:48:42 Amanda Arnold, Montana Human Rights Network

00:49:14 Jani McCall, Billings Clinic

Opponents' Testimony: None.

Informational Testimony:

00:49:46 Mary Dalton, DPHHS

Questions from Committee Members and Responses:

00:50:09 Sen. Cobb to Sen. Kaufmann
00:51:20 Sen. Weinberg to Mary Dalton
00:51:50 Sen. O'Neil to Mary Dalton

Closing by Sponsor:

00:54:17 Sen. Kaufmann

HEARING ON SB 522

Opening Statement by Sponsor:

00:56:47 **SEN. DAN WEINBERG (D), SD 2**, opened the hearing on **SB 522**, Prescription privileges for licensed psychologists.

EXHIBIT (phs41a06)

EXHIBIT (phs41a07)

Proponents' Testimony:

01:01:16 Dr. Michael Boots, Psychologist, Billings
01:05:08 Dr. Earl Sutherland, Psychologist, Indian Health Service
01:07:43 Dr. Elaine Levine, Psychologist, New Mexico representing Prescribing Psychologists of America
01:10:49 Dr. George Watson, Chair, State Board of Psychologists

EXHIBIT (phs41a08)

01:15:51 Dr. William Pattenaide, Psychologist, Missoula
01:18:45 Donna M. Zook, Psychologist, Great Falls
01:20:32 Gary Hammel, Health, Planning and Information Services, DPHHS
01:22:32 Dr. Colleen Wall-Hoeben, Psychologist, Hamilton
01:23:19 Joyce DeCunzo, Addictive and Mental Disorders Division, DPHHS
01:25:05 Bob Olsen, Montana Hospital Association

01:25:21 Anita Rossman, Montana Advocacy Program
01:26:01 Mike Foster, Sisters of Charity Hospital
01:26:34 Mary Dalton, Health Resources Division, DPHHS

Opponents' Testimony:

01:27:05 Dr. Gary Mihelish, National Alliance on
Mental Illness (NAMI)
01:30:32 Dr. Leonard Lantz, M.D., Psychiatrist
01:34:38 Dr. Donald Harr, M.D., Psychiatrist
01:39:53 Michael Silverglat, Psychiatrist, Missoula
01:45:16 Dr. David Shaefer, Psychiatrist, Montana Psychiatric
Association
01:48:28 Beda Lovitt, Montana Medical Association, Montana
Psychiatric Association

EXHIBIT (phs41a09)

EXHIBIT (phs41a10)

Informational Testimony: None.

Questions from Committee Members and Responses:

01:51:43 Sen. O'Neil to Dr. Levine
01:55:27 Sen. O'Neil to Dr. Watson
01:58:24 Sen. Gillan to Dr. Levine
02:01:25 Sen. Cobb to Dr. David Shaefer
02:04:03 Sen. Moss to Joyce DeCunzo
02:06:18 Sen. Schmidt to Dr. Shaefer
02:07:49 Sen. Schmidt to Dr. Watson

Closing by Sponsor:

02:11:37 Sen. Weinberg

EXECUTIVE ACTION ON SB 498

02:16:29 **Motion:** SEN. MOSS moved that SB 498 DO PASS.

Discussion:

02:16:58 Sen. O'Neil

02:18:00 Sen. Schmidt

02:18:32 Sen. Weinberg

02:19:28 Sen. Williams

02:20:04 Sen. Weinberg

02:21:12 Sen. Schmidt

02:21:56 **Vote:** Motion carried 6-3 by voice vote with SEN. ESP, SEN. MURPHY, and SEN. O'NEIL voting no. SEN. ESP voted no by proxy.

EXECUTIVE ACTION ON SB 428

02:22:53 **Motion:** SEN. MOSS moved that SB 428 DO PASS.

02:23:09 **Motion/Vote:** SEN. MOSS moved that AMENDMENT SB042802 BE ADOPTED. Motion carried by voice vote.

02:23:38 **Motion/Vote:** SEN. MOSS moved that SB 428 DO PASS AS AMENDED. Motion carried 7-2 with SEN. ESP and SEN. O'NEIL voting no. SEN. ESP voted no by proxy.

EXECUTIVE ACTION ON SB 500

02:24:11 **Motion:** SEN. MOSS moved that SB 500 DO PASS.

Discussion:

02:24:35 Sen. O'Neil

02:26:45 Sen. Williams

02:27:36 Sen. Weinberg

02:27:43 Sen. O'Neil

02:28:17 **Vote:** Motion carried 7-2 by voice vote with SEN. ESP and SEN. O'NEIL voting no. SEN. ESP voted no by proxy.

EXECUTIVE ACTION ON SB 522

02:29:04 **Motion:** SEN. MOSS moved that SB 522 DO PASS.

Discussion:

02:29:14 **Motion/Vote:** SEN. COBB moved TO STRIKE "300" AND INSERT "400" ON PAGE 8, LINE 19. Motion carried unanimously.

02:30:09 **Motion:** SEN. MOSS moved that SB 522 DO PASS AS AMENDED.

Discussion:

02:30:24 Sen. Gillan

02:36:45 Sen. Williams

02:38:11 Sen. Weinberg

02:40:51 Sen. Gillan

02:42:42 Sen. Schmidt to Dr. Watson

02:44:15 Sen. Weinberg

02:45:05 **Motion/Vote:** SEN. WEINBERG moved that SB 518 DO PASS. Motion carried 6-2 by voice vote with SEN. COBB and SEN. ESP voting no. SEN. ESP voted no by proxy.

EXECUTIVE ACTION ON SB 518

02:46:11 **Motion:** SEN. WILLIAMS moved that SB 518 DO PASS.

02:46:31 **Motion/Vote:** SEN. WILLIAMS moved that AMENDMENT SB051801.AGP BE ADOPTED. Motion carried with SEN. ESP voting aye by proxy.

EXHIBIT (phs41a11)

02:47:39 **Motion/Vote:** SEN. WILLIAMS moved TO AMEND #1 TO READ "CERTIFICATE OF BIRTH RESULTING IN A STILLBIRTH". Motion carried with SEN. ESP voting aye by proxy.

02:48:30 Motion/Vote: SEN. WILLIAMS moved that SB DO PASS AS AMENDED. Motion carried 6-3 by voice vote with SEN. GILLAN, SEN. MOSS and SEN. SCHMIDT voting no. SEN. ESP voted aye by proxy.

EXECUTIVE ACTION ON SB 336

02:49:38 Motion/Vote: SEN. COBB moved SB 336 BE RECONSIDERED. Motion failed 2-7 with SEN. COBB and SEN. WEINBERG voting aye. Motion carried with SEN. ESP voting NO by proxy.

ADJOURNMENT

Adjournment: 6:47 P.M.

SEN. DAN WEINBERG, Chairman

PRUDENCE GILDROY, Secretary

DW/pg

Additional Exhibits:

EXHIBIT ([phs41aad.pdf](#))