

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**HOUSE BUSINESS AND LABOR COMMITTEE**

**Date:** Thursday, March 12, 2009  
**Place:** Capitol

**Time:** 8:30 am  
**Room:** 172

**BILLS and RESOLUTIONS HEARD:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

SB 127, SB 133, SB 141

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**EXECUTIVE ACTION TAKEN:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

SB 269 BCAA

SB 141 BC

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**COMMENTS:**

  
\_\_\_\_\_  
REP. Bill Wilson, Chairman

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**BUSINESS AND LABOR COMMITTEE**

DATE: 3/12/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Michele Reinhardt	X	
Rep. Bill Beck	X	
Rep. Elsie Arntzen	X	
Rep. Shannon Augare		X
Rep. Paul Beck		X
Rep. Tom Berry	X	
Rep. Carlie Boland	X	
Rep. John Fleming	X	
Rep. Timothy Furey		X
Rep. Chuck Hunter	X	
Rep. Harry Klock	X	
Rep. Mike Milburn	X	
Rep. Pat Noonan	X	
Rep. Scott Reichner	X	
Rep. Cary Smith	X	
Rep. Gordon Vance	X	
Rep. Jeffery Welborn	X	
Rep. Bill Wilson	X	



## HOUSE STANDING COMMITTEE REPORT

March 12, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **Senate Bill 269** (third reading copy – blue) be concurred in as amended.

Signed: *Bill Wilson*  
*Representative Bill Wilson, Chair*

To be carried by Representative Scott Reichner

**And, that such amendments read:**

1. Page 6, line 25.

**Strike:** "department"

**Insert:** "board"

2. Page 7, line 8.

**Strike:** "(1)(e)"

**Insert:** "(2)(e)"

3. Page 8, line 1.

**Following:** "safety"

**Strike:** "in"

**Insert:** "as those practices apply to"

- END -

**Committee Vote:**

**Yes 18, No 0**

Fiscal Note Required

SB0269001SC06480.hjd



**HOUSE STANDING COMMITTEE REPORT**

**March 12, 2009**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **Senate Bill 141** (third reading copy – blue) be concurred in.

Signed:

A handwritten signature in cursive script that reads "Bill Wilson".

*Representative Bill Wilson, Chair*

To be carried by Representative Carlie Boland

- END -

**Committee Vote:**

**Yes 18, No 0**

Fiscal Note Required

SB0141001SC06461.hjd

## AUTHORIZED COMMITTEE PROXY

I request to be excused from the BUSINESS AND LABOR

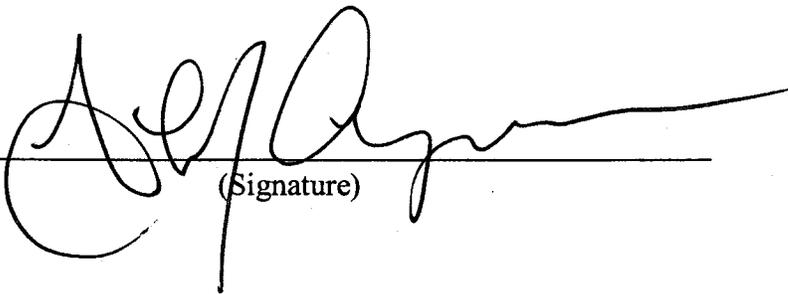
Committee because of other commitments. I desire to leave my proxy vote with:

VICE CHAIR REINHART

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
SB 141	X	
SB 269 AMEND	X	
SB 269	X	

BILL/AMENDMENT	AYE	NO

Rep.   
(Signature)

Date 3/12/09







**Montana House of Representatives  
Visitors Register**

**BUSINESS AND LABOR COMMITTEE**

Date 3/12/09

Bill No. SB 133 Sponsor(s) Sen. Kaufmann

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
<i>Bruce Spencer</i>	<i>PCI - Medco</i>	<i>X (with small)</i>		
<i>Marqueline Denmark</i>	<i>AIA; ACLI</i>	<i>X</i>		
<i>John MUDIS</i>	<i>SAC</i>	<i>X</i>		
<i>Bob Biskupiak</i>	<i>FIA M</i>	<i>X</i>		
<i>[Faded]</i>	<i>[Faded]</i>	<i>[Faded]</i>		
<i>Susan Witte</i>	<i>Allegiance</i>	<i>✓</i>		
<i>Tanya Ask</i>	<i>New West</i>	<i>✓</i>		
<i>Greg Van Horn</i>	<i>State Farm</i>	<i>✓</i>		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.



Additional Exhibit

# MONTANA STATE AUDITOR

MONICA J. LINDEEN  
STATE AUDITOR



COMMISSIONER OF INSURANCE  
COMMISSIONER OF SECURITIES

EXHIBIT 6  
DATE 3-12-09  
SB 135

March 12, 2009

## VIA HAND DELIVERY

Honorable Cary Smith  
Honorable Elsie Arntzen  
Montana State House of Representatives  
Montana State Capitol  
Helena, Montana 59620

RE: SB135-Insure Montana

Dear Representatives Smith and Arntzen:

Thank you for the good hearing on Senate Bill 135 which is being carried by Senator Larsen at the request of the State Auditor's Office.

I am writing to follow up on questions each of you had concerning the provisions of the bill. I apologize for our delay in getting this information to you. Specifically you each had questions relating to the interplay between the Insure Montana program and other federal health insurance programs, namely Medicare, Medicaid, and the SCHIP program.

Representative Smith, you inquired as to the reason Medicare was not included in the final, amended version of the bill as passed by the Senate. The rationale for that decision is as follows: under the provisions of the Medicare program, in the view of our office, it is not proper to force an individual to leave group coverage under the Insure Montana program and then require that individual to purchase insurance through the Medicare program. Medicare is a different type of program than Medicaid, under which the insured purchases coverage rather than being provided coverage by the government. This provision, in many cases would have involved disabled children with special needs. After consultation with the Public Department of Health and Human Services, it was decided that this provision should be removed from the amended bill.

Phone: 1-800-332-6148 / (406) 444-2040 / Fax: (406) 444-3497  
840 Helena Ave., Helena MT 59601 Website: [www.sao.mt.gov](http://www.sao.mt.gov) E-Mail: [stateauditor@mt.gov](mailto:stateauditor@mt.gov)



Honorable Cary Smith  
Honorable Elsie Arntzen  
Montana State House of Representatives  
Page 2

Representative Arntzen, you asked a question concerning the use of the terms "may" versus "shall" in the bill language concerning non-duplication of coverage. The answer I provided to you at the time of the hearing did not paint as complete a picture of the reason for that change as I might have liked.

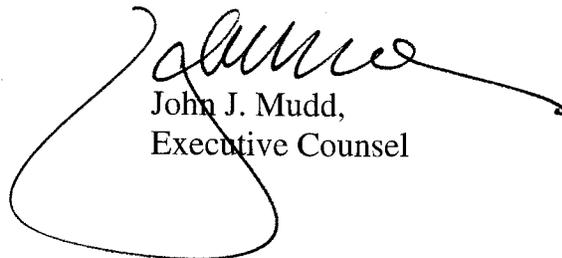
Discussions with the Department of Public Health and Human Services, which pointed out the various ways that Insure Montana might interact with SCHIP and Medicaid, it was decided that the language concerning transferring dependents to those programs should be permissive and not mandatory. For instance, in some cases, the Medicaid program can chose to pay for employer group coverage, instead of paying the claims through regular Medicaid. In some cases, it might be better for individuals to remain on the Insure Montana program and for various reasons, it may not be cost effective to move those individuals.

New Section 7 in SB 135 that deals with contingent voidness if the state plan amendment is not approved was added because of the provision in SB 135 which waives the three-month break in coverage requirement for children who transfer from Insure Montana to CHIP. That provision may be dependent on approval by CMS of the state plan amendment required by the Healthy Kids Initiative.

I hope that these answers provide you additional clarity as to the questions you have concerning the bill. If I can be of any additional assistance, please do not hesitate to contact me at 444-5222 direct; or Jill Sark, administrator of the Insure Montana program, at 444-2406 direct; or Christina Goe, Chief Legal Counsel in our department at 444-1942 direct.

Thank you again for the good hearing.

Very truly yours,



John J. Mudd,  
Executive Counsel

JM/jb

cc: Members of the House Business and Labor Committee  
Jill Sark  
Christina Goe

Additional Exhibit

To : The Committee of the

"Autism Waiver"

EXHIBIT	7
DATE	3-12-09
SB	234

SB 234

I ask you to please take a few minutes to read this letter, before giving your vote on the "Autism Waiver."

Thank you for your time.

Cindi Salveson

March 5, 2008

RE: "Autism Waiver"

To Whom It May Concern:

My name is Cindi Salveson and my sister-in-law, Signee (who is 4 years old), has been diagnosed with autism. She is such an outgoing little girl who always seems to have a smile on her face.

When Signee was just a baby I could not have any physical contact with her without her crying or getting upset. Now that Signee is 4 and has been working one-on-one with the special education teacher and the occupational therapist several times a week, I can see a huge improvement. I am now able to be around her without her getting upset or crying. When we arrive at her house she'll often grab my hand and want me to play with her.

Signee still has her days where she doesn't want to go to school or therapy. She would rather stay at home. I feel that offering the "Autism waiver" to children like Signee would be a great opportunity for her and other children with autism to improve their abilities. On days where Signee would rather stay-at-home, she could receive that at home care offered through this program.

Based on your flyer describing this waiver, you have stated that, "there is no cure for autism, but studies have shown that placing children in intensive services early in life is a proven treatment strategy." If this method has been proven successful in other states, then I think this should also be accepted in Montana. Montana is always trying to find ways to help those in need with health problems. Here is the chance to give someone something that would mean so much. Many parents of autistic children face live obstacles to help their autistic child be the best person they can be. Giving them a chance to receive this program would change many lives for many people. Since Signee's diagnosis her parents have experienced a huge obligation finically and mentally. Offering this program to parents with autistic children could give the parents a huge relief. Signee's parents are amazing people and have worked very hard to give Signee the improvement she has needed to be the amazing girl she is today.

I ask you to please reconsider your vote to for the "Autism Waiver." This program could make a huge impact to any autistic child and their parents.

Thank you for taking the time to read this letter and I ask you to please consider offering this program.

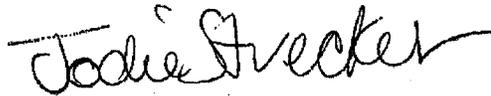
Sincerely  
Cindi Salvesson

Please make note of our Opposition to SB 287, please vote NO to this bill.

Terry B. Jellison  
Billings, MT 59102



Jodie Strecker  
Laurel, MT 59044



Penny Reintsma  
Laurel, MT 59044



Paul Partridge  
Billings, MT 59105



Mikala K. Buckingham  
Billings, MT 59102

