

HOUSE BILL NO. 409

INTRODUCED BY B. BECK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MEMBERSHIP OF THE COMMISSION ON PROVIDER RATES AND SERVICES; ALLOWING FOR APPOINTMENT OF TECHNICAL ADVISORS; AND AMENDING SECTION 53-10-203, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-10-203, MCA, is amended to read:

"53-10-203. Commission on provider rates and services. (1) The department shall form an advisory commission to be known as the commission on provider rates and services to provide information to the department concerning provider services, costs, and reimbursement rates. The commission membership ~~must include a maximum of~~ may consist of up to 15 individuals representing providers, consumers of provider services, and family members of consumers and is as follows:

(a) at least three providers;

(b) at least three of a combination of consumers of provider services and family members of consumers;

~~(c) two employees of the department;~~

~~(d) one representative from the legislative fiscal division;~~

~~(e) one representative from the governor's office on budget and program planning;~~

~~(f)~~(c) subject to 5-5-234, one member of the majority party and one member of the minority party of the house of representatives; and

~~(g)~~(d) subject to 5-5-234, one member of the majority party and one member of the minority party of the senate.

(2) (a) The following individuals shall participate as nonvoting members in commission meetings:

(i) a representative of the legislative fiscal division who is responsible for analyzing the department's budget;

(ii) a representative of the office of budget and program planning who is responsible for analyzing the department's budget and assisting in policy evaluation for the department; and

(iii) two department employees, one of whom must have responsibilities for developing and implementing

1 policies related to the medicaid program and one of whom must have an in-depth knowledge of the topics under
2 discussion by the commission.

3 (b) The individuals listed in subsection (2)(a) must be provided with all materials provided to the
4 commission and be offered an opportunity to comment on matters before the commission.

5 ~~(2)~~(3) Except as provided in this section, the commission is subject to the provisions of 2-15-122.

6 ~~(3)~~(4) Except as provided in this section, members shall serve for a term of 2 years and may be
7 reappointed by the appointing authority for one additional term. A member appointed to fill an unexpired term may
8 be appointed for an additional two terms. The appointing authority shall stagger the first terms of the first board
9 to terms of 2 to 4 years. Members appointed to represent state departments, offices, or other state bodies may
10 be appointed and reappointed as the department determines necessary.

11 ~~(4)~~(5) The commission shall elect a presiding officer and vice presiding officer and by vote determine
12 its rules of operation. The commission shall meet at the call of the presiding officer, who shall determine meeting
13 times in consultation with the department.

14 (6) The commission may appoint, by majority vote, up to three technical advisors with experience in
15 providing services to the populations served by the department. The technical advisors:

16 (a) may take part in commission meetings but may not vote on matters before the commission; and

17 (b) may not be reimbursed for their time or travel.

18 ~~(5)~~(7) The commission is allocated to the department for administrative purposes only as provided in
19 2-15-121."

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