

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON HUMAN SERVICES

**Call to Order:** Chair David Howard, on February 7, 2011 at 3:00 PM, in Room 152  
Capitol

#### ROLL CALL

**Members Present:**

Rep. David Howard, Chairman (R)  
Rep. Pat Noonan, Vice Chairman (D)  
Rep. Cary Smith, Vice Chairman (R)  
Rep. Liz Bangerter (R)  
Rep. Steve Fitzpatrick (R)  
Rep. Timothy Furey (D)  
Rep. Ellie Boldman Hill (D)  
Rep. Chuck Hunter (D)  
Rep. Pat Ingraham (R)  
Rep. Dan Kennedy (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Joe Read (R)  
Rep. Dan Skattum (R)  
Rep. Max Yates (R)

**Members Excused:** Rep. Michael (Mike) More (R)

**Members Absent:** None

**Staff Present:** Miranda Keaster, Committee Secretary  
Sue O'Connell, 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: HB 284, 2/11/2011; HB 377, 2/11/2011

Executive Action: HB 184, HB 239, HB 82

00:00:15 Chairman Howard

**EXECUTIVE ACTION ON HB 184**

00:01:26 **Motion:** Rep. C. Smith moved to **RECONSIDER HB 184.**

**Discussion:**

00:01:56 Rep. Hunter  
00:02:15 Rep. Smith  
00:02:39 Rep. Ingraham  
00:02:44 Chairman Howard

00:03:16 **Vote:** Motion carried unanimously by voice vote. Rep. More voted by proxy.

00:03:42 **Motion:** Rep. C. Smith moved that **HB 184 BE AMENDED.**  
**EXHIBIT(huh30a01)**

**Discussion:**

00:04:00 Rep. Smith  
00:05:15 Chairman Howard

00:05:49 **Vote:** Motion carried 14-1 by voice vote with Rep. Noonan voting no. Rep. More voted by proxy.

00:06:05 **Motion/Vote:** Rep. C. Smith moved that **HB 184 DO PASS AS AMENDED.**  
Motion carried 10-5 by voice vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. More voted by proxy.

**EXECUTIVE ACTION ON HB 239**

00:07:30 Chairman Howard

00:07:35 **Motion:** Rep. C. Smith moved that **HB 239 DO PASS.**

**Discussion:**

00:08:14 Chairman Howard

00:08:17 **Motion:** Rep. C. Smith moved that **HB 239 BE AMENDED.**  
**EXHIBIT(huh30a02)**

**Discussion:**

00:08:54 Rep. Smith  
00:09:28 Chairman Howard

00:09:35 **Vote:** Motion carried 13-2 by voice vote with Rep. Noonan and Rep. Pease-Lopez voting no. Rep. More voted by proxy.

00:10:03 **Motion:** Rep. C. Smith moved that **HB 239 DO PASS AS AMENDED.**

**Discussion:**

00:10:12 Rep. Noonan  
00:11:22 Chairman Howard  
00:11:24 Rep. Bangerter  
00:11:43 Chairman Howard  
00:11:52 Rep. Smith

00:12:54 **Vote:** Motion carried 10-5 by roll call vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. More voted by proxy.

**EXECUTIVE ACTION ON HB 82**

00:13:56 **Motion:** Rep. C. Smith moved that **HB 82 DO PASS.**

00:14:44 **Motion:** Rep. C. Smith moved that **HB 82 BE AMENDED.**  
[EXHIBIT\(huh30a03\)](#)

**Discussion:**

00:15:11 Rep. Ingraham  
00:15:39 Sue O'Connell, Legislative Service Division (LSD)  
00:15:55 Rep. Ingraham  
00:16:01 Chairman Howard  
00:16:04 Rep. Furey  
00:16:16 Rep. Ingraham  
00:16:35 Sue O'Connell  
00:17:10 Rep. Ingraham  
00:17:26 Chairman Howard

00:17:36 **Vote:** Motion carried unanimously by voice vote. Rep. More voted by proxy.

00:17:55 Chairman Howard  
00:17:55 Rep. Pease-Lopez exited.

00:17:57 **Motion/Vote:** Rep. Ingraham moved that **HB 82 DO PASS AS AMENDED.**  
Motion carried unanimously by voice vote. Rep. More and Rep. Pease-Lopez voted by proxy.

00:18:55 Chairman Howard

### **HEARING ON HB 284**

#### **Opening Statement by Sponsor:**

00:19:10 Rep. Tom Burnett (R), HD 63, opened the hearing on HB 284, Discontinue state employee efforts related to federal health care reform.

#### **Proponents' Testimony:**

00:22:47 Roger Nummerdor, Community Member

**EXHIBIT(huh30a04)**

00:23:44 Quincy OrHai, Community Member

00:24:54 Rep. More entered.

#### **Opponents' Testimony:**

00:27:45 Diane Fladmo, Montana Education Association-Montana Federation of Teachers (MEA-MFT)

00:30:52 Jesse Laslovich, Montana Commissioners of Securities and Insurance (CSI)

00:36:21 Barbara Swehla, Montana Nurses Association (MNA)

#### **Informational Testimony:**

00:37:48 Russ Hill, Administrator, Health Care Benefits Division, Department of Administration (DOA)

#### **Questions from Committee Members and Responses:**

00:38:16 Rep. Smith

00:39:21 Jesse Laslovich, CSI

00:40:05 Rep. Smith

00:40:19 Jesse Laslovich

00:40:37 Rep. Smith

00:41:04 Rep. Hunter

00:42:06 Rep. Burnett

00:42:57 Rep. Hunter

00:43:41 Rep. Burnett

00:44:07 Rep. Hunter

00:44:39 Rep. Burnett

00:45:46 Rep. Hunter

00:46:52 Rep. Burnett

00:47:18 Rep. Hunter

00:47:28 Rep. Ingraham

00:48:43 Rep. Burnett

00:49:30 Rep. Pease-Lopez

00:50:15 Rep. Burnett

00:51:10 Chairman Howard

00:51:15 Rep. Pease-Lopez

00:52:06 Rep. Burnett  
00:53:12 Rep. Noonan  
00:54:05 Rep. Burnett  
00:54:57 Rep. Noonan  
00:55:16 Rep. Burnett  
00:55:28 Rep. Hill  
00:56:08 Rep. Burnett  
00:56:21 Rep. Hill  
00:57:01 Rep. Burnett  
00:57:54 Rep. Furey  
00:58:41 Rep. Burnett  
00:59:03 Rep. Furey  
00:59:47 Russ Hill, DOA  
01:00:18 Rep. Furey  
01:01:25 Jesse Laslovich  
01:01:50 Rep. Smith  
01:02:09 Rep. Burnett  
01:02:32 Rep. Smith  
01:02:36 Rep. Burnett  
01:02:39 Rep. Smith  
01:03:15 Rep. Burnett  
01:03:23 Chairman Howard  
01:03:29 Rep. Kennedy  
01:04:14 Rep. Burnett  
01:04:41 Rep. Noonan  
01:04:55 Chairman Howard  
01:05:11 Jesse Laslovich  
01:06:16 Chairman Howard

**Closing by Sponsor:**

01:06:23 Rep. Burnett

**HEARING ON HB 377**

**Opening Statement by Sponsor:**

01:07:32 Rep. Wendy Warburton (R), HD 34, opened the hearing on HB 377, Revise laws to allow medication aides in nursing homes.

**Proponents' Testimony:**

01:10:12 Rose Hughes, Executive Director, Montana Health Care Association (MHCA)  
**EXHIBIT(huh30a05)**  
01:17:34 Denise Licata, Skilled Nursing Facilities  
01:19:42 Barbara Swehla, MNA  
01:21:34 Frank Soltys, Executive Director, Senior Services Division, Benefis Health System  
01:24:12 Aimee Grmoljez, Billings Clinic  
01:25:38 Casey Blumenthal, Montana Hospital Association (MHA)

01:28:08 Lori Henderson, Administrator, Northern Montana Care Center  
01:29:44 Brian Huso, Eagle Cliff Manor

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:31:20 Rep. Ingraham  
01:32:46 Rose Hughes, MHCA  
01:34:13 Rep. Ingraham  
01:34:42 Rose Hughes  
01:36:32 Rep. Ingraham  
01:37:06 Rep. Warburton

**Closing by Sponsor:**

01:37:49 Rep. Warburton  
01:39:00 Chairman Howard

**ADJOURNMENT**

Adjournment: 01:39:24

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Miranda Keaster, Secretary

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**Additional Exhibits:**

**[EXHIBIT\(huh30a06\)](#)**

**[EXHIBIT\(huh30a07\)](#)**

Additional Documents:

**[EXHIBIT\(huh30aad.pdf\)](#)**