

## MINUTES

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

#### COMMITTEE ON HUMAN SERVICES

**Call to Order:** Chair David Howard, on February 9, 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. Liz Bangerter (R)  
Rep. Steve Fitzpatrick (R)  
Rep. Timothy Furey (D)  
Rep. Ellie Boldman Hill (D)  
Rep. Chuck Hunter (D)  
Rep. Dan Kennedy (R)  
Rep. Michael (Mike) More (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Joe Read (R)  
Rep. Dan Skattum (R)  
Rep. Max Yates (R)

**Members Excused:** Rep. Cary Smith, Vice Chairman (R)  
Rep. Pat Ingraham (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 312, 2/7/2011; HB 376, 2/7/2011

Executive Action: HB 83, HB 206, HB 267

00:00:03 Chairman Howard

**EXECUTIVE ACTION ON HB 83**

00:00:35 **Motion:** Rep. Bangerter moved that **HB 83 DO PASS.**

**Discussion:**

00:01:10 **Motion:** Rep. Bangerter moved that **HB 83 BE AMENDED.**  
**EXHIBIT(huh32a01)**

**Discussion:**

00:01:35 Chairman Howard

00:01:41 Sue O'Connell, Legislative Services Division (LSD)

00:03:13 Chairman Howard

00:03:22 **Vote:** Motion carried unanimously by voice vote. Rep. Ingraham and Rep. Smith voted by proxy.

00:03:42 **Motion:** Rep. Kennedy moved that **HB 83 BE AMENDED.**  
**EXHIBIT(huh32a02)**

**Discussion:**

00:04:20 Sue O'Connell, LSD

00:05:04 Chairman Howard

00:05:07 Rep. Bangerter

00:05:19 Rep. Kennedy

00:05:24 Rep. Noonan

00:05:33 Rep. Smith entered.

00:05:37 Rep. Kennedy

00:06:10 Chairman Howard

00:06:15 Rep. Fitzpatrick

00:07:08 Rep. Kennedy

00:07:45 Rep. Hunter

00:08:32 Rep. Kennedy

00:08:51 Rep. Hill

00:09:52 Chairman Howard

00:09:54 **Vote:** Motion failed 2-13 by roll call vote with Rep. Howard and Rep. Kennedy voting aye. Rep. Ingraham voted by proxy.

00:11:01 **Motion/Vote:** Rep. Bangerter moved that **HB 83 DO PASS AS AMENDED.**  
Motion carried 12-3 by roll call vote with Rep. Kennedy, Rep. Skattum and Rep. Smith voting no. Rep. Ingraham voted by proxy.

**EXECUTIVE ACTION ON HB 206**

00:12:31 **Motion:** Rep. C. Smith moved that **HB 206 DO PASS.**

**Discussion:**

00:12:51 Rep. Smith

00:13:40 **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. Ingraham voted by proxy.

**EXECUTIVE ACTION ON HB 267**

00:14:40 **Motion/Vote:** Rep. Noonan moved that **HB 267 DO PASS.** Motion failed 6-9 by roll call vote with Rep. Fitzpatrick, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting aye. Rep. Ingraham voted by proxy.

00:16:21 **Motion:** Rep. C. Smith moved that **HB 267 BE TABLED.**

**Discussion:**

00:16:56 Chairman Howard

00:17:13 **Vote:** Motion carried 9-5 by voice vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Ingraham no vote.

**HEARING ON HB 376**

**Opening Statement by Sponsor:**

00:18:10 Rep. Cary Smith (R), HD 55, opened the hearing on HB 376, Require DPHHS to pursue self-directed care using special medicaid accounts.

00:20:06 Rep. Ingraham entered.

**Proponents' Testimony:**

00:21:14 Doug Lair, Community Member

**Opponents' Testimony:**

00:21:45 Mary Dalton, Manager, Medicaid and Health Services Branch, Department of Public Health and Human Services (DPHHS)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:34:55 Rep. Kennedy  
00:35:19 Mary Dalton, DPHHS  
00:36:33 Rep. Kennedy  
00:36:49 Mary Dalton  
00:37:29 Rep. Hunter  
00:38:36 Mary Dalton  
00:38:44 Rep. Hunter  
00:39:11 Mary Dalton  
00:39:32 Rep. Hunters  
00:40:00 Mary Dalton  
00:40:41 Rep. Furey  
00:41:37 Mary Dalton  
00:43:23 Rep. Kennedy  
00:43:41 Rep. Smith

**Closing by Sponsor:**

00:43:49 Rep. Smith

**HEARING ON HB 312**

**Opening Statement by Sponsor:**

00:46:33 Rep. Cary Smith (R), HD 55, opened the hearing on HB 312, Provide for an interstate compact related to health care freedom.

**Proponents' Testimony:**

00:50:07 Pat McCain, Community Member  
00:51:22 Doug Lair, Community Member

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:52:45 Rep. Smith

**ADJOURNMENT**

Adjournment: 00:55:49

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Miranda Keast

er, Secretary

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**Additional Exhibits:**

**[EXHIBIT\(huh32a03\)](#)**

Additional Documents:

**[EXHIBIT\(huh32aad.pdf\)](#)**