

## MINUTES

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

#### JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

**Call to Order:** Chair Don Roberts, on February 9, 2011 at 8:00 AM, in Room 102 Capitol

#### ROLL CALL

**Members Present:**

Rep. Don Roberts, Chairman (R)  
Rep. Tom Burnett (R)  
Sen. Mary Caferro (D)  
Rep. John Esp (R)  
Sen. Jason Priest (R)  
Rep. Trudi Schmidt (D)

**Members Excused:** Sen. Dave Lewis, Vice Chairman (R)  
Rep. Tony Belcourt (D)

**Members Absent:** None

**Staff Present:** Marilyn Daumiller, Legislative Branch  
Miranda Keaster, Committee Secretary  
Lois Steinbeck, Legislative Branch  
Kris Wilkinson, 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:**

Executive Action: 5% Reduction Plans for Agency, Child Support Enforcement, Disability Transitions, Addictive and Mental Disorders Division, Healthy Montana Kids, Big Sky Rx, Disabilities Services Division, Senior and Long Term Care

Hearing: Operations Services Branch, Quality Assurance Division

00:00:40 Chairman Roberts

[EXHIBIT\(jhh32a01\)](#)

[EXHIBIT\(jhh32a02\)](#)

**Executive Action**

**5% Reduction Plans for Agencies**

00:00:50 **Motion:** Rep. Schmidt moved that **RESTORING THE FUNDING FOR BIG BROTHERS BIG SISTERS BE ADOPTED.**

**Discussion:**

00:01:36 Sen. Caferro

00:02:22 Rep. Belcourt entered.

00:02:30 Rep. Esp

00:02:41 Rep. Schmidt

00:02:56 Sen. Lewis entered.

00:03:05 Rep. Esp

00:03:16 Rep. Schmidt

00:04:00 Rep. Esp

00:04:21 Rep. Schmidt

00:05:10 Sen. Lewis

00:05:16 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

00:06:05 **Motion:** Rep. Schmidt moved that **FUNDING BE RESTORED TO THE ELIMINATED FOSTER CARE BENEFITS BE ADOPTED.**

**Discussion:**

00:06:40 Marilyn Daumiller, Legislative Fiscal Division (LFD)

00:08:12 **Vote:** Motion failed 4-4 by roll call vote with Rep. Belcourt, Rep. Burnett, Sen. Caferro and Rep. Schmidt voting aye.

**NP95305**

00:08:58 **Motion:** Rep. Schmidt moved that **NP95305 WHICH RESTORES FUNDING TO SUPPORT FAMILIES IN THE PREVENTION OF PLACING CHILDREN IN FOSTER CARE (IN-HOME REUNIFICATION SERVICES) BE ADOPTED.**

**Discussion:**

00:09:18 Marilyn Daumiller, LFD

00:10:31 Rep. Schmidt

00:10:56 Marilyn Daumiller

00:11:36 Rep. Esp

00:12:15 Chairman Roberts

00:12:28 **Vote:** Motion carried 6-2 by roll call vote with Rep. Burnett and Sen. Priest voting no.

**NP95302**

00:13:10 **Motion:** Rep. Schmidt moved that **NP95302 WHICH RESTORES SUBSIDIZED FUNDS FOR ADOPTION MEDICAL SUBSIDY BE ADOPTED.**

**Discussion:**

00:13:24 Marilyn Daumiller, LFD

00:14:08 Rep. Schmidt

00:14:32 Marilyn Daumiller

00:14:44 Sen. Priest

00:14:59 Rep. Schmidt

00:15:14 Sen. Priest

00:15:16 Rep. Schmidt

00:15:50 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

**NP95221**

00:16:30 **Motion:** Sen. Caferro moved that **RESTORATION NP95221, 3% REDUCTION IN MEDICAID NURSING FACILITIES RESTORATION USING HEALTH AND MEDICAID INITIATIVES STATE SPECIAL FUNDS BE ADOPTED.**

**Discussion:**

00:17:05 Kris Wilkinson, LFD

00:17:36 Sen. Caferro

00:20:17 Sen. Lewis

00:20:49 Sen. Caferro

00:22:15 Kris Wilkinson

00:22:50 Rep. Esp

00:24:12 Sen. Caferro

00:25:47 Rep. Esp

00:26:14 Sen, Caferro

00:26:16 Rep. Esp

00:26:35 Sen. Caferro

00:26:59 Rep. Esp

00:27:06 Kris Wilkinson

00:27:21 Chairman Roberts

00:27:24 Rep. Schmidt

00:27:49 Kris Wilkinson

00:29:08 Rep. Schmidt

00:29:17 Mary Dalton, Department of Public Health and Human Services (DPHHS)

00:30:23 Sen. Lewis

00:30:40 Sen. Caferro  
00:32:08 Sen. Lewis  
00:32:21 Sen. Caferro  
00:33:11 Rep. Burnett  
00:33:41 Sen. Caferro  
00:34:40 Rep. Schmidt  
00:34:50 Kris Wilkinson  
00:35:47 Sen. Caferro

00:36:02 **Substitute Motion:** Rep. Schmidt made a substitute motion that **RESTORED 3% REDUCTION IN MEDICAID NURSING FACILITIES USING GENERAL FUND BE ADOPTED.**

**Discussion:**

00:36:24 Chairman Roberts  
00:37:06 Sen. Caferro

00:37:18 **Vote:** Substitute motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

00:37:29 Sen. Priest  
00:38:27 Kris Wilkinson, LFD  
00:38:52 Sen. Lewis  
00:39:07 Sen. Caferro  
00:40:02 Sen. Lewis

00:40:15 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

00:40:52 Rep. Schmidt  
00:41:27 Marilyn Daumiller, LFD  
00:41:37 Kris Wilkinson  
00:42:33 Rep. Schmidt  
00:42:56 Kris Wilkinson

**NP95223**

00:43:02 **Motion/Vote:** Rep. Schmidt moved that **THE REINSTATEMENT OF NP95223 (MEDICAID PERSONAL ASSISTANCE PROGRAM) BE ADOPTED.** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

**Child Support Enforcement Division**

**PL50001**

00:44:17 **Motion:** Rep. Roberts moved that **PL50001 BE ADOPTED.**

**Discussion:**

00:45:02 Rep. Schmidt  
00:45:21 Marilyn Daumiller, LFD

00:46:38 **Motion:** Rep. Burnett moved that **DENYING DEPARTMENT WIDE NON DOFA RENT ADJUSTMENTS FOR DPHHS BE ADOPTED.**

**Discussion:**

00:48:18 Rep. Schmidt  
00:48:47 Marilyn Daumiller, LFD  
00:49:49 Laurie Lambson, DPHHS  
00:51:02 Rep. Burnett  
00:52:00 Sen. Lewis  
00:52:27 Laurie Lambson

00:53:52 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no.

**Disability Transitions**

**PL1001**

00:53:57 Marilyn Daumiller, LFD

00:56:03 **Motion/Vote:** Rep. Roberts moved that **PL1001 BE ADOPTED.** Motion carried unanimously by voice vote.

00:56:24 Chairman Roberts  
00:56:31 Rep. Burnett  
00:56:40 Chairman Roberts

**NP1103**

00:56:49 Marilyn Daumiller, LFD  
01:00:06 Connie Phelps, DPHHS  
01:00:32 Rep. Esp  
01:00:52 Connie Phelps  
01:01:10 Chairman Roberts  
01:01:16 Marilyn Daumiller  
01:02:13 Rep. Esp  
01:02:43 Connie Phelps  
01:02:58 Chairman Roberts

01:03:06 **Motion:** Rep. Esp moved that **THE PORTION OF NP1103 THAT NEEDS AUTHORITY TO COVER FOR FY 2013 ONLY (FY 2012 IDENTIFIED AS NOT NEEDED) BE ADOPTED.**

**Discussion:**

01:03:49 Sen. Caferro  
01:04:23 Marilyn Daumiller, LFD  
01:05:06 Sen. Caferro  
01:05:27 Marilyn Daumiller  
01:05:52 Chairman Roberts  
01:06:15 Rep. Esp  
01:06:36 Rep. Schmidt  
01:06:56 Rep. Esp  
01:07:31 Marilyn Daumiller  
  
01:08:11 **Vote:** Motion carried unanimously by roll call vote.

**DPHHS Department**

01:09:04 **Motion:** Rep. Roberts moved that **A 25% GLOBAL REDUCTION IN DPHHS OF OVERTIME AND HOLIDAY WORK BE ADOPTED.**

**Discussion:**

01:09:17 Marilyn Daumiller, LFD  
01:10:34 Laurie Lambson, DPHHS  
01:11:06 Kris Wilkinson, LFD  
01:11:48 Kelly Williams, DPHHS  
01:12:24 Lois Steinbeck, LFD  
01:12:57 Chairman Roberts withdrew motion.  
  
01:13:09 **Motion:** Rep. Esp moved that **A 25% GLOBAL REDUCTION IN DPHHS OF OVERTIME AND HOLIDAY WORK BE ADOPTED.**

**Discussion:**

01:13:42 Rep. Schmidt  
01:14:08 Kelly Williams  
01:14:16 Rep. Schmidt  
01:14:24 Kris Wilkinson  
01:14:45 Lois Steinbeck  
01:15:10 Rep. Schmidt  
01:15:14 Lois Steinbeck  
01:15:17 Rep. Schmidt  
01:15:23 Kris Wilkinson  
01:15:30 Rep. Schmidt  
01:16:01 Mary Dalton, DPHHS  
01:16:33 Marilyn Daumiller  
01:17:08 Sen. Lewis  
01:17:40 Laurie Lambson  
01:18:27 Rep. Burnett  
01:18:56 Laurie Lambson  
01:19:41 Sen. Caferro

01:20:26 Rep. Esp  
01:20:51 Sen. Caferro  
01:21:36 Kris Wilkinson  
01:21:56 Rep. Esp  
01:22:15 Rep. Burnett  
01:22:31 Marilyn Daumiller  
01:22:38 Lois Steinbeck  
01:23:00 Rep. Esp  
01:23:06 Lois Steinbeck  
01:23:14 Rep. Schmidt  
01:23:29 Lois Steinbeck  
01:23:55 Sen. Lewis  
01:24:08 Rep. Schmidt

01:24:33 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no.

**Human and Community Services**

**NP20101**

01:24:57 Chairman Roberts  
01:25:11 Rep. Schmidt  
01:25:18 Marilyn Daumiller, LFD

01:26:15 **Motion:** Rep. Roberts moved that **DP20101 FOR 5.0 MODIFIED AND TEMPORARY FTE AS A ONE TIME ONLY (OTO) AND RESTRICTED APPROPRIATION, RESTRICTED TO USE IN THE HUMAN AND COMMUNITY SERVICES DIVISION BE ADOPTED.**

**Discussion:**

01:26:47 Sen. Caferro

01:28:03 **Vote:** Motion carried 7-1 by roll call vote with Rep. Esp voting no. Rep. Esp voted by proxy.

**NP1104**

01:28:51 Marilyn Daumiller, LFD

01:30:12 **Motion/Vote:** Rep. Roberts moved that **NP1104 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Esp voted by proxy.

**Disability Services Division**

01:30:50 Kris Wilkinson, LFD  
01:31:32 Chairman Roberts

**Senior and Long Term Care**

01:31:58 Kris Wilkinson, LFD  
01:32:27 Chairman Roberts

**Addictive and Mental Disorders Division**

01:32:33 Lois Steinbeck, LFD  
01:33:25 Chairman Roberts  
01:33:30 Rep. Burnett

**Senior Long Term Care Revisited**

01:33:48 Rep. Burnett  
01:34:31 Kelly Williams, DPHHS

**Big Sky Rx**

01:35:32 Chairman Roberts  
01:35:44 Lois Steinbeck, LFD  
**EXHIBIT(jhh32a03)**  
01:39:37 Chairman Roberts  
01:39:39 Sen. Lewis  
01:39:49 Lois Steinbeck  
01:40:14 Sen. Lewis  
01:40:25 Lois Steinbeck  
01:40:41 Sen. Caferro  
01:41:15 Mary Dalton, DPHHS  
01:41:38 Lois Steinbeck  
01:41:55 Rep. Burnett  
01:42:23 Claudia Clifford, American Association of Retired Persons (AARP)

**Healthy Montana Kids**

01:43:01 Chairman Roberts  
01:43:15 Rep. Esp  
01:44:17 Mary Dalton, DPHHS

**EXHIBIT(jhh32a04)**

01:44:24 Rep. Esp  
01:44:33 Lois Steinbeck, LFD  
01:47:55 Rep. Esp  
01:48:39 Lois Steinbeck  
01:48:45 Mary Dalton  
01:55:24 Rep. Esp  
01:56:33 Mary Dalton  
01:56:53 Rep. Esp  
01:57:11 Mary Dalton  
01:57:57 Rep. Esp

01:58:09 Mary Dalton  
02:00:05 Rep. Esp  
02:00:16 Mary Dalton  
02:00:54 Rep. Esp  
02:01:24 Mary Dalton  
02:02:45 Rep. Esp  
02:03:01 Mary Dalton  
02:03:46 Rep. Esp  
02:03:50 Mary Dalton  
02:04:17 Lois Steinbeck  
**EXHIBIT(jhh32a05)**  
02:06:14 Chairman Roberts  
02:06:21 Rep. Schmidt  
02:06:32 Mary Dalton  
02:07:44 Lois Steinbeck  
02:13:47 Rep. Schmidt  
02:14:01 Pat Sullivan, Governor's Budget Office  
02:16:09 Rep. Burnett  
02:17:03 Lois Steinbeck  
02:17:47 Rep. Esp  
02:19:31 Pat Sullivan  
02:19:50 Rep. Esp  
02:20:27 Pat Sullivan  
02:21:10 Rep. Esp  
02:21:28 Pat Sullivan  
02:21:43 Rep. Esp  
02:21:50 Laurie Lambson, DPHHS  
02:24:57 Rep. Esp  
02:25:24 Sen. Caferro  
02:26:15 Lois Steinbeck  
02:27:54 Rep. Schmidt  
02:28:10 Mary Dalton  
02:30:38 Chairman Roberts  
02:30:41 Lois Steinbeck  
02:33:09 Rep. Burnett  
02:33:21 Lois Steinbeck  
  
02:35:01 Recess  
02:49:42 Reconvene

**Operation Services Branch**

02:49:44 Marilyn Daumiller, LFD  
02:50:03 Laurie Lambson, DPHHS  
02:54:09 Jeff Buska, Administrator, Quality Services Division, DPHHS  
03:14:57 Rep. Burnett  
03:15:09 Jeff Buska  
03:15:41 Hank Hudson  
03:16:37 Jeff Buska  
03:21:14 Rep. Belcourt

03:21:26 Jeff Buska  
03:21:49 Chairman Roberts  
03:22:02 Jeff Buska  
03:22:35 Rep. Esp  
03:22:49 Jeff Buska  
03:23:19 Rep. Burnett  
03:23:25 Jeff Buska  
03:23:52 Sen. Lewis  
03:24:11 Jeff Buska  
03:24:49 Rep. Schmidt  
03:25:17 Jeff Buska  
03:25:51 Rep. Schmidt  
03:26:20 Jeff Buska  
03:27:35 Rep. Schmidt  
03:28:24 Jeff Buska  
03:40:13 Marilyn Daumiller, LFD  
03:40:49 Jeff Buska  
03:43:44 Chairman Roberts  
03:43:50 Jeff Buska  
03:44:13 Sen. Priest

**Decision Packages**

03:44:38 Jeff Buska, DPHHS  
03:48:40 Sen. Priest  
03:48:57 Jeff Buska  
03:50:40 Sen. Priest  
03:50:50 Jeff Buska  
03:52:08 Sen. Priest  
03:52:36 Jeff Buska

**ADJOURNMENT**

Adjournment: 03:53:40

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Miranda Keaster, Secretary

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**Additional Exhibits:**

**[EXHIBIT\(jhh32a06\)](#)**

Additional Documents:

**[EXHIBIT\(jhh32aad.pdf\)](#)**