

## MINUTES

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

#### COMMITTEE ON HUMAN SERVICES

**Call to Order:** Chair David Howard, on February 14, 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. Timothy Furey (D)  
Rep. Ellie Boldman Hill (D)  
Rep. Chuck Hunter (D)  
Rep. Pat Ingraham (R)  
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. Steve Fitzpatrick (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 409, 2/9/2011; HB 410, 2/9/2011; HB 437, 2/9/2011

Executive Action: HB 139, HB 284, HB 389, HB 429, HB409, HB 410, HB 227

00:00:03 Chairman Howard

**HEARING ON HB 409**

**Opening Statement by Sponsor:**

00:01:48 Rep. Bill Beck (R), HD 6, opened the hearing on HB 409, Clarify laws relating to provider rates commission.

**Proponents' Testimony:**

00:03:25 Jim Fitzgerald, Chief Executive Officer, Intermountain

00:07:35 Lora Cowee, Director of Operations, Intermountain

00:09:58 Anita Roessmann, Disability Rights Montana

00:11:01 Dennis Taylor, Policy Coordinator, Montana Children's Initiative

**EXHIBIT(huh36a01)**

00:12:08 John Wilkinson, Executive Director, National Association of Social Workers

**Opponents' Testimony:**

00:14:17 Hank Hudson, Department of Public Health and Human Services (DPHHS)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:17:43 Rep. Ingraham

00:18:35 Rep. Beck

00:19:14 Rep. Furey

00:20:33 Hank Hudson, DPHHS

00:20:56 Rep. Furey

00:21:38 Hank Hudson

00:22:04 Rep. Kennedy

00:22:23 Hank Hudson

**Closing by Sponsor:**

00:22:56 Rep. Beck

**HEARING ON HB 410**

**Opening Statement by Sponsor:**

00:23:52 Rep. Bill Beck (R), HD 6, opened the hearing on HB 410, Establish principles for social service provider rates.

**Proponents' Testimony:**

00:24:44 Jim Fitzgerald, Chief Executive Officer, Intermountain

00:29:08 Lora Cowee, Director of Operations, Intermountain

[EXHIBIT\(huh36a02\)](#)

00:30:29 John Wilkinson, Executive Director, National Association of Social Workers

00:32:46 Dennis Taylor, Policy Coordinator, Montana Children's Initiative

[EXHIBIT\(huh36a03\)](#)

00:34:56 Anita Roessmann, Disability Rights Montana

00:38:04 Joan Taylor, Montana Children's Initiative

[EXHIBIT\(huh36a04\)](#)

**Opponents' Testimony:**

00:38:49 Hank Hudson, DPHHS

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:39:12 Rep. Hunter

00:40:10 Lora Cowee, Intermountain

00:41:59 Rep. Hunter

00:42:27 Lora Cowee

00:43:50 Rep. Furey

00:46:03 Hank Hudson, DPHHS

00:47:30 Rep. Furey

00:49:07 Hank Hudson

**Closing by Sponsor:**

00:50:05 Rep. Beck

00:50:53 Rep. Kennedy exited.

**HEARING ON HB 437**

**Opening Statement by Sponsor:**

00:51:12 Rep. Jean Price (D), HD 21, opened the hearing on HB 437, Providing medicaid coverage for orientation and mobility services.

[EXHIBIT\(huh36a05\)](#)

00:54:56 Rep. Hill exited.

00:55:04 Rep. More exited.

**Proponents' Testimony:**

00:55:40 Melanie Bush, Certified Orientation Mobility Specialist

[EXHIBIT\(huh36a06\)](#)

00:56:49 Rep. More entered.

01:03:11 Jerry Hutch, President, Capital Area, Montana Association for the Blind

01:05:50 Valerie Burgan, Community Member

01:11:54 Selena Huth, Parent

01:14:22 Chris Kuntz, Montana Independent Living  
01:14:50 Steve Gettel, Superintendent, Montana School for the Deaf and the Blind  
**EXHIBIT(huh36a07)**  
01:20:38 Beth Brennamen, Disability Rights Montana  
01:20:53 Rep. Hill entered.

**Opponents' Testimony:** None

**Informational Testimony:**

01:21:28 Steve York, Assistant Superintendent, Office of Public Instruction (OPI)

**Questions from Committee Members and Responses:**

01:21:55 Rep. Bangerter  
01:22:31 Steve Gettel, Montana School for the Deaf and the Blind  
01:22:36 Rep. Bangerter  
01:22:58 Steve Gettel  
01:23:15 Rep. Ingraham  
01:23:40 Melanie Bush, Certified Orientation Mobility Specialist  
01:24:34 Rep. Ingraham  
01:25:19 Rep. Hunter  
01:25:57 Steve York, OPI  
01:27:28 Rep. Hunter  
01:28:17 Steve York  
01:29:08 Rep. Kennedy  
01:29:29 Melanie Bush  
01:29:52 Rep. Kennedy  
01:30:05 Steve Gettel

**Closing by Sponsor:**

01:30:20 Rep. Price  
01:30:53 Chairman Howard

**EXECUTIVE ACTION ON HB 139**

01:31:53 **Motion:** Rep. Ingraham moved that **HB 139 DO PASS.**

**Discussion:**

01:32:11 Chairman Howard  
01:32:16 Rep. Ingraham  
01:32:26 Chairman Howard  
01:32:53 Rep. Furey  
01:33:43 Rep. Fitzpatrick entered.  
01:33:58 Rep. More entered.  
01:34:04 Rep. Hunter

01:35:55 **Vote:** Motion failed unanimously by roll call vote. Rep. Smith voted by proxy.

01:37:29 **Motion/Vote:** Rep. Bangerter moved that **HB 139 BE TABLED**. Motion carried unanimously by voice vote, present and voting. Rep. Smith did not vote.

**EXECUTIVE ACTION ON HB 409**

01:37:05 **Motion:** Rep. Ingraham moved that **HB 409 DO PASS**.

**Discussion:**

01:37:55 Rep. Read  
01:39:11 Chairman Howard  
01:39:21 Rep. Furey

01:40:21 **Vote:** Motion carried unanimously by voice vote, present and voting. Rep. Smith did not vote.

**EXECUTIVE ACTION ON HB 410**

01:40:37 **Motion:** Rep. Ingraham moved that **HB 410 DO PASS**.

**Discussion:**

01:40:44 Rep. Furey

01:41:22 **Vote:** Motion carried unanimously by voice vote, present and voting. Rep. Smith did not vote.

**EXECUTIVE ACTION ON HB 284**

01:42:01 **Motion:** Rep. Ingraham moved that **HB 284 DO PASS**.

**Discussion:**

01:42:40 Rep. Noonan  
01:43:25 Rep. Hunter  
01:43:57 Rep. Ingraham  
01:45:07 Chairman Howard  
01:45:19 Rep. Ingraham  
01:45:23 Rep. Noonan  
01:45:41 Chairman Howard  
01:46:10 Rep. Noonan

01:46:25 **Vote:** Motion failed 7-8 by roll call vote with Rep. Howard, Rep. Ingraham, Rep. Kennedy, Rep. More, Rep. Read, Rep. Skattum and Rep. Smith voting aye. Rep. Smith voted by proxy.

01:47:35 **Motion/Vote:** Rep. Noonan moved that **HB 284 BE TABLED**. Motion carried 10-4 by voice vote with Rep. Ingraham, Rep. Kennedy, Rep. Read and Rep. Skattum voting no, present and voting. Rep. Smith did not vote.

**EXECUTIVE ACTION ON HB 389**

01:48:39 **Motion:** Rep. Noonan moved that **HB 389 DO PASS**.

**Discussion:**

01:49:19 Sue O'Connell, Legislative Service Division (LSD)

01:50:54 Chairman Howard

01:51:11 Rep. More

01:52:00 Chairman Howard

01:52:01 Rep. Hunter exited.

01:52:04 **Motion:** Rep. Noonan moved that **HB 389 BE CONCEPTUALLY AMENDED**.

**Discussion:**

01:52:22 Rep. Bangerter

01:53:02 Rep. More

01:53:19 Sue O'Connell

01:53:46 Chairman Howard

01:54:43 **Vote:** Motion carried 10-5 by roll call vote with Rep. Howard, Rep. Ingraham, Rep. Kennedy, Rep. Read and Rep. Skattum voting no. Rep. Hunter and Rep. Smith voted by proxy.

01:54:56 **Motion:** Rep. Noonan moved that **HB 389 DO PASS AS AMENDED**.

01:55:11 **Substitute Motion/Vote:** Rep. Kennedy moved that **HB 389 BE TABLED**. Motion failed 6-9 by roll call vote with Rep. Howard, Rep. Ingraham, Rep. Kennedy, Rep. Read, Rep. Skattum and Rep. Yates voting aye. Rep. Hunter and Rep. Smith voted by proxy.

**Discussion:**

01:56:24 Rep. Skattum

01:56:50 Rep. More

01:57:15 Rep. Noonan

01:58:25 Chairman Howard

01:58:32 Rep. Smith entered.

01:58:42 Sue O'Connell

01:59:03 **Vote:** Rep. Noonan moved that **HB 389 DO PASS AS AMENDED**. Motion carried 8-7 by roll call vote with Rep. Howard, Rep. Ingraham, Rep. Kennedy, Rep. Read, Rep. Skattum, Rep. Smith and Rep. Yates voting no. Rep. Hunter voted by proxy.

**EXECUTIVE ACTION ON HB 429**

02:00:08 **Motion:** Rep. Ingraham moved that **HB 429 DO PASS**.

02:00:14 Rep. Smith entered.

**Discussion:**

02:00:17 Sue O'Connell, LSD

**EXHIBIT(huh36a08)**

02:05:01 **Motion/Vote:** Rep. Ingraham moved that **HB 429 BE AMENDED**. Motion carried 11-4 by roll call vote with Rep. Furey, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Hunter voted by proxy.

02:06:16 **Motion:** Rep. Ingraham moved that **HB 429 DO PASS AS AMENDED**.

**Discussion:**

02:06:23 Rep. Skattum

02:06:46 Rep. Furey

02:07:21 Rep. Smith

02:08:14 Rep. Furey

02:08:18 Rep. Smith

02:09:22 Rep. Furey

02:10:02 Rep. Smith

02:10:59 Rep. Furey

02:11:45 Rep. Pease-Lopez

02:12:06 Rep. Smith

02:13:02 Rep. Kennedy

02:13:18 Chairman Howard

02:13:23 Rep. Ingraham

02:14:00 Rep. More

02:15:00 Rep. Ingraham

02:15:14 Rep. Noonan

02:16:07 **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. Hunter voted by proxy.

**EXECUTIVE ACTION ON HB 227**

HB 227 was tabled on February 4, 2011.

02:17:06 **Motion/Vote:** Rep. More moved to **RECONSIDER THE MOTION** on **HB 227 (tabled 2-4-2011)**. Motion carried 9-5 by roll call vote with Rep. Bangertter, Rep. Furey, Rep. Hill, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Hunter did not vote.

02:19:37      **Motion:** Rep. More moved that **HB 227 DO PASS.**

**Discussion:**

02:19:48      Rep. Kennedy

02:20:15      Rep. Furey

02:21:23      Chairman Howard

02:23:20      Rep. Skattum

02:23:42      Rep. Hill

02:24:37      Rep. Smith

02:25:04      **Vote:** Motion carried 8-7 by roll call vote with Rep. Bangerter, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Ingraham, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Hunter voted by proxy.

**ADJOURNMENT**

Adjournment: 02:25:06

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Miranda Keaster, Secretary

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**Additional Exhibits:**

**[EXHIBIT\(huh36a09\)](#)**

Additional Documents:

**[EXHIBIT\(huh36aad.pdf\)](#)**