

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 16, 2011 at 8:00 AM, in Room 102
Capitol

ROLL CALL

Members Present:

Rep. Don Roberts, Chair (R)
Sen. Dave Lewis, Vice Chair (R)
Rep. Tony Belcourt (D)
Rep. Tom Burnett (R)
Sen. Mary Caferro (D)
Rep. John Esp (R)
Sen. Jason Priest (R)
Rep. Trudi Schmidt (D)

Members Excused: None

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 Wrap Up

00:00:09 Chairman Roberts

[EXHIBIT\(jhh38a01\)](#)

[EXHIBIT\(jhh38a02\)](#)

Update Medicaid Caseload Estimates

00:03:07 Anna Whiting Sorrell, Director, Department of Public of Health and Human Services (DPHHS)

[EXHIBIT\(jhh38a03\)](#)

[EXHIBIT\(jhh38a04\)](#)

00:07:12 Rep. Esp
00:07:15 Anna Whiting Sorrell
00:12:35 Chairman Roberts
00:12:55 Anna Whiting Sorrell
00:13:37 Rep. Schmidt
00:14:17 Anna Whiting Sorrell
00:14:30 Rep. Esp
00:15:04 Anna Whiting Sorrell
00:15:20 Rep. Esp
00:15:25 Mary Dalton, DPHHS
00:17:40 Rep. Esp
00:17:44 Mary Dalton
00:18:25 Rep. Esp
00:18:54 Anna Whiting Sorrell
00:20:43 Rep. Esp
00:21:40 Laurie Lambson, DPHHS
00:22:51 Rep. Esp
00:23:08 Mary Dalton
00:23:42 Rep. Esp
00:23:57 Mary Dalton
00:24:17 Laurie Lambson
00:24:39 Rep. Esp
00:25:20 Laurie Lambson
00:25:48 Rep. Esp
00:26:11 Mary Dalton
00:27:49 Rep. Esp
00:28:02 Mary Dalton
00:28:40 Rep. Esp
00:28:45 Sen. Lewis
00:29:50 Laurie Lambson
00:30:13 Sen. Lewis
00:30:31 Laurie Lambson
00:30:54 Sen. Lewis
00:31:10 Anna Whiting Sorrell
00:32:12 Sen. Lewis
00:32:39 Laurie Lambson
00:32:50 Sen. Lewis
00:33:04 Laurie Lambson
00:34:02 Sen. Lewis
00:34:33 Laurie Lambson

00:35:31 Rep. Belcourt
00:36:00 Mary Dalton
00:36:38 Rep. Belcourt
00:36:59 Mary Dalton
00:37:33 Rep. Belcourt
00:38:04 Chairman Roberts
00:38:11 Rep. Esp
00:38:47 Laurie Lambson
00:39:44 Rep. Esp
00:40:12 Mary Dalton
00:40:27 Rep. Esp
00:40:43 Chairman Roberts
00:40:56 Anna Whiting Sorrell
00:43:04 Chairman Roberts
00:43:17 Lois Steinbeck, Legislative Fiscal Division (LFD)
00:43:57 Anna Whiting Sorrell
00:45:17 Rep. Esp
00:46:23 Anna Whiting Sorrell
00:47:30 Sen. Priest
00:47:52 Laurie Lambson
00:48:29 Lois Steinbeck
00:49:11 Sen. Lewis
00:50:29 Pat Sullivan, Governor's Budget Office
00:51:16 Chairman Roberts
00:51:31 Mary Dalton
00:52:00 Rep. Esp
00:52:24 Anna Whiting Sorrell
00:52:41 Rep. Esp
00:52:47 Anna Whiting Sorrell
00:53:48 Rep. Esp
00:54:34 Pat Sullivan
00:55:08 Rep. Esp
00:55:24 Bob Andersen, Governor's Budget Office
00:57:00 Rep. Esp
00:57:13 Bob Andersen
00:57:20 Lois Steinbeck
00:59:39 Rep. Esp
01:00:07 Sen. Lewis
01:01:35 Pat Sullivan
01:03:21 Chairman Roberts
01:04:22 Sen. Caferro
EXHIBIT(jhh38a05)
01:05:47 Sen. Caferro
01:06:00 Pat Sullivan
01:06:16 Sen. Caferro
01:06:19 Pat Sullivan
01:06:25 Sen. Caferro
01:06:47 Pat Sullivan
01:07:01 Sen. Caferro
01:07:08 Pat Sullivan

01:07:12 Sen. Caferro
01:07:18 Chairman Roberts
01:07:31 Sen. Caferro
01:08:15 Pat Sullivan
01:08:36 Rep. Esp
01:09:25 David Ewer, Budget Director, Governor's Budget Office
01:11:34 Rep. Esp
01:11:58 David Ewer
01:13:04 Rep. Esp
01:13:17 David Ewer
01:13:20 Rep. Esp
01:13:26 David Ewer
01:13:49 Rep. Esp
01:13:54 David Ewer
01:14:00 Rep. Esp
01:14:19 David Ewer
01:15:27 Rep. Esp
01:15:47 David Ewer
01:16:15 Rep. Esp
01:16:34 David Ewer
01:16:52 Rep. Esp
01:17:07 Chairman Roberts
01:17:28 David Ewer
01:19:01 Rep. Esp
01:19:39 David Ewer
01:19:53 Rep. Esp
01:20:02 David Ewer
01:20:14 Rep. Esp
01:20:20 Sen. Lewis
01:20:55 David Ewer
01:20:59 Sen. Lewis
01:22:00 David Ewer
01:23:45 Sen. Lewis
01:24:00 David Ewer
01:24:17 Sen. Priest
01:25:06 David Ewer
01:25:11 Sen. Priest
01:25:23 David Ewer
01:26:52 Chairman Roberts
01:27:07 Recess
02:02:38 Reconvene

EXECUTIVE ACTION

02:03:06 Lois Steinbeck, LFD
[EXHIBIT\(jhh38a06\)](#)
02:06:28 Kris Wilkinson, LFD
02:09:31 Chairman Roberts

02:09:44 Lois Steinbeck

[EXHIBIT\(jhh38a07\)](#)

[EXHIBIT\(jhh38a08\)](#)

02:14:37 **Motion:** Rep. Esp moved to appropriate **\$170,000 IN ALCOHOL STATE SPECIAL REVENUE FOR STATE MEDICAID MATCHING FUNDS FOR CHEMICAL DEPENDENCY SERVICES EACH YEAR OF THE BIENNIUM AND REDUCE GENERAL FUND APPROPRIATED FOR THE SAME PURPOSE BY A LIKE AMOUNT; AND \$446,905 IN ALCOHOL STATE SPECIAL REVENUE IN FY 2012 AND \$599,525 IN ALCOHOL STATE SPECIAL REVENUE IN FY 2013 FOR METH TREATMENT FACILITIES AND REDUCE GENERAL FUND APPROPRIATED FOR THE SAME PURPOSE BY A LIKE AMOUNT EACH YEAR BE RECOMMENDED.**

[EXHIBIT\(jhh38a09\)](#)

Discussion:

02:16:14 Sen. Caferro
02:16:23 Lois Steinbeck, LFD
02:17:27 Rep. Burnett
02:18:22 Sen. Caferro
02:18:51 Lois Steinbeck
02:20:05 Sen. Caferro
02:20:11 Rep. Schmidt
02:20:38 Chairman Roberts
02:20:52 Rep. Schmidt
02:21:20 Chairman Roberts
02:21:31 Rep. Schmidt
02:21:43 Rep. Esp
02:21:50 Chairman Roberts
02:22:01 Rep. Schmidt

02:22:24 Recess
02:42:39 Reconvene

02:43:40 Rep. Schmidt
02:43:45 Lois Steinbeck, LFD
02:44:35 Sen. Caferro
02:44:50 Lois Steinbeck
02:45:07 Sen. Caferro
02:45:15 Lois Steinbeck
02:45:33 Sen. Caferro
02:45:39 Lois Steinbeck
02:46:01 Rep. Schmidt
02:46:27 Lois Steinbeck
02:46:34 Rep. Schmidt

02:46:43 **Vote:** Motion carried unanimously by voice vote.

02:47:19 **Motion:** Rep. Esp moved to **APPROPRIATE \$8,492,261 IN MEDICAID RESERVE ACCOUNT STATE SPECIAL REVENUE FOR STATE MEDICAID MATCHING FUNDS IN FY 2012 AND REDUCE GENERAL FUND APPROPRIATED FOR THE SAME PURPOSE IN FY 2012 BY THE SAME AMOUNT, AND APPROPRIATE \$8,492,261 GENERAL FUND FOR STATE MEDICAID MATCHING FUNDS IN FY 2013 AND REDUCE MEDICAID RESERVE ACCOUNT STATE SPECIAL REVENUE APPROPRIATED FOR THE SAME PURPOSE IN FY 2013 BY THE SAME AMOUNT BE RECOMMENDED.**

EXHIBIT(jhh38a10)

Discussion:

02:48:18 Lois Steinbeck, LFD
02:49:38 Rep. Schmidt
02:49:54 Pat Sullivan, Governor's Budget Office
02:50:27 Rep. Schmidt
02:50:37 Rep. Esp
02:50:46 Sen. Priest exited.
02:51:04 Rep. Schmidt
02:51:10 Mary Dalton, DPHHS

02:52:04 **Substitute Motion:** Rep. Belcourt made a substitute motion to recommend that **MONEY BE TAKEN OUT OF THE ENDING FUND BALANCE TO COVER THE MEDICAID ACCOUNT ONE-TIME-ONLY.**

Discussion:

02:52:45 Sen. Lewis
02:53:09 Rep. Schmidt
02:53:20 Rep. Esp

02:53:26 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye. Sen. Priest voted by proxy.

02:54:20 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no. Sen. Priest voted by proxy.

02:54:59 **Motion:** Sen. Caferro moved that **TRANSFERRING \$1,164,364 IN FY 2012 AND \$1,364,300 IN FY 2013 FROM THE TANF BLOCK GRANT TO CHILD CARE WHERE IT WOULD TAKE ON THE IDENTITY OF THE FEDERAL DISCRETIONARY FUND AND GENERAL FUND BE TRANSFERRED TO DISABILITIES SERVICES DIVISION TO RESTORE THE REDUCTION IN THE MEDICAID BENEFITS/DISABILITY DIVISION CASELOAD BE ADOPTED.**

EXHIBIT(jhh38a11)

Discussion:

02:56:06 Chairman Roberts
02:56:08 Sen. Caferro
02:57:48 Marilyn Daumiller, LFD
02:58:05 Sen. Priest entered.
02:59:04 Rep. Esp

02:59:25 **Vote:** Motion carried unanimously by voice vote.

02:59:42 **Motion:** Sen. Caferro moved to **TRANSFER \$1,850,000 FROM THE MONTANA TELECOMMUNICATIONS ACCESS PROGRAM FUNDS TO GENERAL FUND FOR THE USE OF: \$25,690 FOR THE BIENNIUM TO RESTORE EXTENDED EMPLOYMENT BENEFITS, \$188,070 FOR FOSTER CARE CLOTHING ALLOWANCE, BALANCE OF THE \$1.8 MILLION = \$1,636,240 FOR DD SERVICES BE ADOPTED.**

Discussion:

03:01:11 Marilyn Daumiller, LFD
03:01:46 Kris Wilkinson, LFD

03:02:13 **Vote:** Motion carried unanimously by voice vote.

03:02:28 **Motion:** Rep. Belcourt moved that **DP20019 BE ADOPTED.**

Discussion:

03:02:57 Rep. Esp
03:03:07 Sen. Lewis
03:03:41 Sen. Caferro

03:04:58 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

03:05:26 **Motion:** Rep. Esp moved to **REQUEST AN IMPLEMENTATION BILL TO REDUCE THE TOBACCO SETTLEMENT FUNDS DIRECTED TO TOBACCO CESSATION AND PREVENTION ACTIVITIES FROM 32% TO 13.9% AND INCREASE THE TOBACCO SETTLEMENT FUNDS DIRECTED TO THE CHIP/MT COMPREHENSIVE HEALTH ASSOCIATION ACCOUNT FROM 17% TO 35.1%.**

EXHIBIT(jhh38a12)

003:06:42 **Substitute Motion:** Rep. Schmidt made a substitute motion that **THE RESTORATION OF FUNDING TO TOBACCO PREVENTION IN 2012 AND 2013 BE ADOPTED.**

Discussion:

03:07:40 Sen. Caferro
03:08:45 Rep. Esp
03:09:17 Rep. Schmidt

03:09:56 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

03:10:01 Rep. Belcourt
03:10:32 Rep. Burnett
03:11:00 Kris Wilkinson, LFD
03:12:54 Sen. Caferro
03:13:08 Rep. Esp
03:13:17 Rep. Burnett
03:13:32 Kris Wilkinson
03:13:45 Sen. Priest exited.
03:14:04 Rep. Schmidt
03:14:18 Kris Wilkinson
03:14:49 Rep. Schmidt
03:15:02 Jane Smilie, DPHHS
03:15:16 Kris Wilkinson
03:15:23 Jane Smilie
03:15:28 Kris Wilkinson
03:15:32 Rep. Esp
03:16:09 Rep. Schmidt
03:16:31 Rep. Esp
03:16:55 Rep. Schmidt
03:17:08 Rep. Esp
03:17:28 Kris Wilkinson
03:19:53 Rep. Schmidt
03:20:48 Kris Wilkinson
03:20:50 Rep. Schmidt
03:20:54 Kris Wilkinson

03:21:07 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no. Sen. Priest voted by proxy.

03:21:48 **Motion:** Rep. Belcourt moved that **DP70108 BE ADOPTED.**

Discussion:

03:22:20 Rep. Esp
03:22:28 Rep. Belcourt
03:22:35 Sen. Priest entered.
03:22:39 Kris Wilkinson, LFD

03:24:11 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

03:24:21 **Motion:** Rep. Roberts moved that **FUNDS APPROPRIATED IN HEALTH RESOURCES DIVISION MAY NOT BE USED TO FUND DOUBLE OR MULTIPLE ORGAN TRANSPLANTS FOR ADULTS ELIGIBLE FOR THE MEDICAID PROGRAM BE ADOPTED.**

EXHIBIT(jhh38a13)

Discussion:

03:25:16 Sen. Caferro
03:25:46 Rep. Belcourt
03:25:52 Lois Steinbeck, LFD

03:27:27 **Vote:** Motion carried 6-2 by roll call vote with Rep. Belcourt and Rep. Schmidt voting no.

03:28:08 **Motion:** Rep. Belcourt moved that **HEALTH INFORMATION TECHNOLOGY INCENTIVE PAYMENTS BE ADOPTED.**

Discussion:

03:29:19 Sen. Priest
03:30:14 Rep. Schmidt
03:30:30 Mary Dalton, DPHHS
03:30:56 Rep. Belcourt
03:31:46 Chairman Roberts

03:32:21 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

03:32:49 **Motion:** Sen. Caferro moved that **RESTORED FUNDING FOR THE HOME AND COMMUNITY BASED WAIVER SERVICES FOR SENIOR CITIZENS AND PEOPLE WITH DISABILITIES BE ADOPTED.**

Discussion:

03:33:46 Rep. Schmidt
03:35:25 Sen. Caferro
03:35:28 Rep. Schmidt
03:35:31 Sen. Caferro
03:35:43 Chairman Roberts
03:35:52 Rep. Schmidt
03:36:40 Lois Steinbeck, LFD
03:37:06 Sen. Priest
03:37:20 Lois Steinbeck
03:37:52 Sen. Priest
03:38:02 Chairman Roberts
03:38:26 Rep. Esp

03:38:36 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

03:39:06 **Motion:** Rep. Belcourt moved that **DP11029 BE ADOPTED.**

Discussion:

03:39:45 Rep. Esp

03:40:00 Rep. Belcourt

03:40:09 Rep. Esp

03:40:26 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

03:40:54 Sen. Priest

03:41:12 Rep. Esp

03:41:19 Sen. Priest

03:41:52 Chairman Roberts

03:41:57 Anna Whiting Sorrell, DPHHS

03:42:15 Sen. Priest

03:42:30 Sen. Lewis

03:42:40 Sen. Priest

03:42:44 Chairman Roberts

ADJOURNMENT

Adjournment: 03:42:44

Miranda Keaster, Secretary

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Additional Documents:

EXHIBIT([jhh38aad.pdf](#))