

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 18, 2011 at 8:00 AM, in Room 102
Capitol

ROLL CALL

Members Present:

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

Members Excused: Sen. Jason Priest (R)

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

00:00:03 Chairman Roberts

[EXHIBIT\(jhh40a01\)](#)

00:02:41 Sen. Lewis

[EXHIBIT\(jhh40a02\)](#)

00:03:56 Lois Steinbeck, Legislative Fiscal Division (LFD)

00:04:49 **Motion:** Sen. Lewis moved that **ALLOCATION OF ONE HALF OF THE TOTAL FUNDING FOR MCDC IN FY 2013 FOR THE LINE ITEM REFERENCED IN LANGUAGE ALREADY ADOPTED BY THE SUBCOMMITTEE BE ADOPTED.**

Discussion:

00:05:17 Rep. Schmidt

00:05:41 Mary Dalton, Department of Public Health and Human Services (DPHHS)

00:07:18 Anna Whiting Sorrell, DPHHS

00:07:38 Sen. Lewis

00:08:39 Anna Whiting Sorrell

00:09:04 Sen. Lewis

00:09:31 Rep. Belcourt

00:10:21 Chairman Roberts

00:11:22 Rep. Schmidt

00:11:46 Rep. Esp

00:12:24 Sen. Caferro

00:12:52 Sen. Lewis

00:13:11 Sen. Caferro

00:13:17 Lois Steinbeck, LFD

00:14:23 Sen. Caferro

00:14:47 Lois Steinbeck

00:15:28 Sen. Caferro

00:16:50 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no. Sen. Priest voted by proxy.

00:17:43 Rep. Esp

00:17:50 Rep. Schmidt

00:18:33 **Motion:** Rep. Esp moved that **PRESENT LAW PL11017 HMK/CHIP CASELOAD REMOVE PRESUMPTIVE ELIGIBILITY \$8,786,359 IN FY 2012 AND \$9,712,462 IN FY 2013 BE ADOPTED.**

[EXHIBIT\(jhh40a03\)](#)

Discussion:

00:19:56 Lois Steinbeck, LFD

00:20:59 Rep. Belcourt

00:21:11 Rep. Esp

00:21:25 Rep. Belcourt

00:21:50 Lois Steinbeck

00:22:45 Rep. Schmidt

00:23:15 Mary Dalton, DPHHS
00:25:05 Rep. Schmidt
00:25:34 Sen. Caferro

00:26:12 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no. Sen. Priest voted by proxy.

00:28:12 **Motion:** Rep. Esp moved that **APPROVAL OF A BILL TO IMPLEMENT HB 2 BY AMENDING SECTION 53-4-11050(2)(g), MCA TO ALLOW COVERAGE OF PRESUMPTIVE ELIGIBILITY FOR HMK TO BE PERMISSIVE RATHER THAN MANDATORY BE ADOPTED.**

Discussion:

00:28:26 Rep. Schmidt
00:28:59 Rep. Esp
00:29:05 Rep. Schmidt
00:29:09 Mary Dalton
00:29:59 Sen. Caferro

00:30:27 **Vote:** Motion carried 6-2 by roll call vote with Rep. Belcourt and Rep. Schmidt voting no. Sen. Priest voted by proxy.

00:31:05 **Motion:** Rep. Esp moved that **PL11120 REVISED FOR LOWER ENROLLMENT GROWTH BE ADOPTED.**

Discussion:

00:31:54 Mary Dalton, DPHHS

00:32:18 **Motion:** Rep. Esp revised the motion to **CORRECT THE PL NUMBER TO PL11020.**

Discussion:

00:32:36 Rep. Schmidt
00:32:53 Mary Dalton, DPHHS
00:33:27 Sen. Caferro
00:34:32 Rep. Esp
00:35:37 Sen. Caferro
00:36:09 Rep. Esp
00:36:12 Lois Steinbeck, LFD
00:37:58 Rep. Schmidt
00:38:29 Mary Dalton
00:39:42 Rep. Belcourt
00:40:24 Mary Dalton
00:40:27 Rep. Belcourt
00:40:40 Sen. Caferro
00:41:00 Rep. Esp
00:41:23 Rep. Schmidt

00:41:59 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no. Sen. Priest voted by proxy.

00:42:39 **Motion:** Rep. Esp moved that **DP11001 TO SHIFT HMK STATE SPECIAL REVENUE TO FUND PART OF STATE MATCH FOR 0-100% HMK ELIGIBILITY GROUP NOW FUNDED FROM THE GENERAL FUND BE ADOPTED.**

Discussion:

00:44:11 Sen. Lewis
00:44:30 Rep. Schmidt
00:44:37 Mary Dalton, DPHHS
00:44:57 Sen. Caferro

00:46:22 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no. Sen. Priest voted by proxy.

00:46:24 **Motion:** Rep. Esp moved that **SHIFT GENERAL FUND FROM PREVIOUS MOTION TO FUND HIGHER MEDICAID CASELOAD ESTIMATES INCLUDING PROJECTED INCREASE FOR HEALTHY MONTANA KIDS BE ADOPTED.**

Discussion:

00:47:05 Rep. Schmidt
00:47:18 Rep. Esp
00:48:03 Rep. Schmidt
00:48:31 Mary Dalton, DPHHS
00:48:33 Rep. Burnett
00:49:01 Rep. Esp
00:49:07 Rep. Belcourt
00:49:40 Rep. Esp
00:49:58 Lois Steinbeck, LFD
00:50:53 Sen. Caferro
00:51:47 Rep. Esp
00:52:33 Sen. Caferro
00:52:48 Rep. Esp
00:53:05 Sen. Caferro
00:54:45 Sen. Lewis
00:55:55 Rep. Schmidt
00:56:43 Rep. Esp

00:57:44 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no. Sen. Priest voted by proxy.

00:58:45 **Motion:** Rep. Esp moved that **FUNDS IN EXECUTIVE CASELOAD ESTIMATES MAY BE USED ONLY AFTER FUNDING FOR MEDICAID BENEFITS ABOVE THE LEVEL APPROPRIATED IN THE DISABILITY SERVICES DIVISION, HEALTH RESOURCES DIVISION, SENIOR AND LONG-TERM CARE DIVISION AND ADDICTIVE AND MENTAL DISORDERS DIVISION HAS BEEN FULLY EXPENDED BE ADOPTED.**

Discussion:

01:00:16 Rep. Schmidt
01:01:14 Mary Dalton, DPHHS
01:02:08 Rep. Esp
01:02:33 Lois Steinbeck, LFD
01:02:40 Rep. Esp

01:02:48 **Vote:** Motion carried 7-0 by voice vote, present and voting.

01:03:12 **Motion:** Rep. Roberts moved that **PLXXX TO INCREASE HEALTH INITIATIVE TO BY 2010 FUNDING INCREASE AND RESTORE FUNDING TO FOR MEDICAID BED DAYS AND BALANCE THE NURSING UTILIZATION SHORTFALL BE ADOPTED.**

Discussion:

01:03:26 Kris Wilkinson, LFD
[EXHIBIT\(jhh40a04\)](#)
01:06:47 Chairman Roberts
01:06:50 Rep. Schmidt
01:07:17 Kris Wilkinson
01:08:12 Laurie Lambson, DPHHS
01:08:20 Kris Wilkinson
01:08:47 Rep. Burnett
01:08:57 Kris Wilkinson
01:09:20 Rep. Schmidt
01:09:29 Kris Wilkinson
01:09:36 Rep. Schmidt
01:09:41 Kris Wilkinson

01:10:01 **Vote:** Motion carried 7-1 by roll call vote with Rep. Belcourt voting no. Sen. Priest voted by proxy.

01:10:37 Sen. Caferro
01:11:05 Mary Dalton
01:11:31 Sen. Caferro
[EXHIBIT\(jhh40a05\)](#)
01:12:51 Kris Wilkinson

01:13:36 **Motion:** Sen. Caferro moved that **\$1,541,186 OF STATE SPECIAL REVENUE FROM THE MEDICAID AND HEALTH INITIATIVES ACCOUNT EACH YEAR OF THE 2013 BIENNIUM BE APPROPRIATED TO PROVIDE FOR DIRECT CARE WORKER WAGES IN THE SENIOR AND LONG-TERM CARE DIVISION BE ADOPTED.**

Discussion:

01:14:22 Sen. Lewis
01:14:26 Rose Hughes, Executive Director, Montana Nursing Homes Association
01:14:51 Sen. Lewis
01:14:54 Rose Hughes
01:14:57 Sen. Lewis
01:15:30 Sen. Caferro
01:16:04 Rep. Esp
01:16:18 Sen. Caferro

EXHIBIT(jhh40a06)

01:17:41 Rep. Schmidt
01:18:18 Rep. Esp
01:18:47 Sen. Caferro

01:19:05 **Motion:** Sen. Caferro revised her motion to **INCLUDE FEDERAL FUNDS.**

01:20:08 **Vote:** Motion including revision failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye. Sen. Priest voted by proxy.

01:20:45 Kris Wilkinson, LFD

01:22:20 **Motion:** Rep. Roberts moved that **REVISE FEDERAL FUNDING FOR 80 SLOTS FUNDED - REDUCE FEDERAL FUNDS \$500,000 EACH YEAR AND REVISE GENETICS PROGRAM APPROPRIATION FOR ACCOUNT SUSTAINABILITY BE ADOPTED.**

Discussion:

01:22:46 Rep. Schmidt

01:22:55 **Motion:** Rep. Roberts revised motion to **EXCLUDE REVISION OF GENETICS PROGRAM APPROPRIATION FOR ACCOUNT SUSTAINABILITY.**

01:23:19 **Vote:** Motion carried 7-0 by voice vote, present and voting.

01:23:26 Kris Wilkinson, LFD

01:23:50 **Motion:** Rep. Roberts moved that **REVISE GENETICS PROGRAM APPROPRIATION FOR ACCOUNT SUSTAINABILITY BE ADOPTED.**

Discussion:

01:24:09 Rep. Schmidt
 01:24:32 Kris Wilkinson, LFD
 01:24:44 Rep. Schmidt
 01:25:39 Kris Wilkinson
 01:26:10 Jane Smilie, DPHHS
 01:26:32 Kris Wilkinson
 01:26:59 Rep. Schmidt
 01:27:06 Kris Wilkinson

01:27:55 Recessed
 01:49:20 Reconvened

01:49:57 Jaret Coles, Staff Attorney, Legislative Fiscal Division
 01:52:28 Mona Jamison, Shodair Children's Hospital
 01:55:30 Kris Wilkinson
 01:56:47 Chairman Roberts
 01:57:12 Rep. Schmidt

01:57:30 **Substitute Motion:** Rep. Roberts made a substitute motion to **RESTORE PROPOSAL TO ITS ORIGINAL FORM AND INTENT.**

01:57:35 **Vote:** Motion carried 7-0 by voice vote, present and voting.

Discussion:

01:57:58 Lois Steinbeck, LFD
[EXHIBIT\(jhh40a07\)](#)

01:58:58 **Motion/Vote:** Rep. Roberts moved that **APPROVE NUMBER ADJUSTMENT RELATED TO TYPOGRAPHICAL ERROR AFFECTING PREVIOUS MOTIONS BE ADOPTED.** Motion carried 7-0 by voice vote, present and voting.

01:59:13 **Motion:** Rep. Burnett moved that **PRE-VENTION CONNECTION PUBLICATION MONEY WITH GRANT FUNDING DETERMINATION BY DPHHS BE ADOPTED.**

Discussion:

01:59:37 Kris Wilkinson, LFD
 02:01:19 Laurie Lambson, DPHHS
 02:01:56 Rep. Esp
 02:02:14 Rep. Burnett
 02:02:35 Rep. Esp
 02:03:05 Rep. Burnett

02:03:21 **Vote:** Motion carried 7-0 by voice vote, present and voting.

02:03:28 **Motion:** Rep. Belcourt moved that **FUNDING OF BIG SKY RX AT 200% POVERTY BE ADOPTED.**

Discussion:

02:04:35 Sen. Lewis

02:04:57 Lois Steinbeck, LFD

EXHIBIT(jhh40a08)

02:05:43 Sen. Caferro

02:05:47 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye. Sen. Priest voted by proxy.

02:06:35 **Motion:** Sen. Lewis moved that **\$200,00 SET ASIDE PER YEAR FOR SUICIDE HOTLINE, AN ALLOCATION BE PUT INTO COUNTY GRANTS ADMINISTERED BY THE DEPARTMENT, THE DEPARTMENT FUND THE SUICIDE PREVENTION OFFICER FROM GRANT FUNDS, AND REMAINDER BE LEFT BE ADOPTED.**

Discussion:

02:07:34 Rep. Schmidt

02:08:21 Sen. Lewis

02:08:29 **Motion/Vote:** Rep. Schmidt moved that **MOTION INCLUDE REMAINDER LEFT OVER BE INCLUDED IN COUNTY GRANTS AMENDED.** Motion carried 6-1 by voice call vote with Sen. Caferro voting no, present and voting.

02:09:31 **Motion/Vote:** Rep. Roberts moved that **STAFF ADD MATCHING FUNDS TO RESTORE DOLLAR A DAY FOR NURSING HOMES BE ADOPTED.** Motion carried 7-0 by voice vote, present and voting.

02:10:15 Sen. Lewis

02:10:52 **Motion:** Rep. Esp moved that **HB 2 COORDINATION LANGUAGE FOR HB 34 BE ADOPTED.**

02:10:54 **Vote:** Motion carried 7-0 by voice vote, present and voting.

02:11:52 Rep. Esp

02:12:14 Kris Wilkinson, LFD

EXHIBIT(jhh40a09)

02:13:59 Rep. Schmidt

02:14:15 Kris Wilkinson

02:15:11 **Motion/Vote:** Rep. Esp moved that **PERFORMANCE MEASUREMENTS FOR CRITICAL GOALS BE ADOPTED.** Motion carried 7-0 by voice vote, present and voting.

02:15:43 **Motion:** Rep. Esp moved that **NP11121 AT THE LEVEL OF 5.00 FTE STATE SPECIAL FUNDS AT \$52,000 EACH YEAR AND ASSOCIATED FEDERAL FUNDS BE ADOPTED.**

Discussion:

02:16:28 Sen. Caferro
02:16:31 Rep. Esp
02:16:44 Lois Steinbeck. LFD
02:17:11 Rep. Belcourt
02:17:35 Rep. Esp
02:17:48 Rep. Schmidt
02:17:52 Mary Dalton, DPHHS
02:18:33 Sen. Caferro
02:19:50 Rep. Schmidt

02:20:07 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no. Sen. Priest voted by proxy.

02:20:39 **Motion:** Sen. Caferro moved that **RESTORED FUNDING FOR NP95223 IN THE AMOUNT OF \$251,358 IN BOTH YEARS WITH FEDERAL MATCH FROM INSURE MONTANA FUNDS BE ADOPTED.**

Discussion:

02:22:05 Rep. Esp
02:22:37 Sen. Caferro
02:23:47 Sen. Lewis
02:24:12 Sen. Caferro

02:24:48 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye. Sen. Priest voted by proxy.

02:25:30 **Motion:** Rep. Roberts moved that **BIG SKY RX AT 135% POVERTY LEVEL BE ADOPTED.**

Discussion:

02:25:44 Rep. Schmidt

02:26:04 **Vote:** Motion failed 2-6 by roll call vote with Sen. Lewis and Rep. Roberts voting aye. Sen. Priest voted by proxy.

02:26:48 **Motion:** Rep. Esp moved that **CLOSING SECTION B BE ADOPTED.**

Discussion:

02:26:53 Rep. Belcourt

02:27:40 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no. Sen. Priest voted by proxy.

02:28:21 Sen. Caferro

ADJOURNMENT

Adjournment: 02:28:49

Miranda Keaster, Secretary

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Additional Documents:

EXHIBIT([jhh40aad.pdf](#))