

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Call to Order: Chair Ron Ehli, on February 21, 2013 at 4:30 P.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Ron Ehli, Chair (R)
Sen. Jason Priest, Vice Chair (R)
Rep. Dave Hagstrom (R)
Rep. Pat Noonan (D)
Sen. Roger Webb (R)

Members Excused: Sen. Mary Caferro (D)

Members Absent: None

Staff Present: Marissa Stockton, Committee Secretary
Marilyn Daumiller, Legislative Branch
Rob Miller, Legislative Branch
Lois Steinbeck, 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 on the Department of Health and Human Services

00:06:48 Chairman Ehli
00:06:58 Lois Steinbeck, Legislative Fiscal Division (LFD)

[EXHIBIT\(jhh39b01\)](#)

00:11:39 Chairman Ehli
00:19:00 Sen. Caferro entered.
00:19:30 Chairman Ehli

EXECUTIVE ACTION

00:19:38 **Motion:** Sen. Priest moved to **APPROPRIATE \$566,531 GENERAL FUND EACH YEAR OF THE BIENNIUM FOR TRAUMATIC BRAIN INJURY SUPPORT SERVICES AND AN ADVISORY COUNCIL AND TO RESTRICT THE APPROPRIATION TO THOSE USES.**

[EXHIBIT\(jhh39b02\)](#)

Discussion:

00:21:34 Rep. Noonan
00:21:50 Sen. Priest
00:22:39 Rep. Hagstrom
00:22:57 Sen. Priest
00:24:37 Sen. Caferro

00:25:41 **Substitute Motion:** Sen. Caferro made a substitute motion that **HB TO REDUCE THE FUNDING TO 100,000 PER YEAR.**

Discussion:

00:25:57 Chairman Ehli

00:26:10 **Vote:** Motion failed 3-3 by roll call vote with Sen. Caferro, Rep. Ehli and Rep. Noonan voting aye.

00:26:58 Sen. Caferro

00:27:06 **Vote:** Motion failed 3-3 by roll call vote with Rep. Noonan, Sen. Priest and Sen. Webb voting aye.

00:28:17 **Motion/Vote:** Rep. Ehli moved that **TO APPROPRIATE \$150,000 TANIF FUNDS EACH YEAR OF THE 2015 BIENNIUM TO SUPPORT COURT APPOINTED SPECIAL ADVOCATES IN THEIR SERVICE OF TANIF ELIGIBILITY CHILDREN FOR ONE TIME ONLY.** Motion carried unanimously by roll call vote.

00:30:44 **Motion:** Rep. Noonan moved that **PROVIDE FOR 10 ADDITIONAL SLOTS EACH YEAR OF THE BIENNIUM FOR CHILDREN'S WAIVER SERVICES WITHIN THE DD COMPREHENSIVE WAIVER TO SERVE CHILDREN ON THE WAITING LIST. RESTRICTED FUNDING TO SCREENING ADDITIONAL CHILDREN INTO DD COMPREHENSIVE TO REDUCE THE WAITING LIST.**

[EXHIBIT\(jhh39b03\)](#)

Discussion:

00:32:53 Chairman Ehli
00:33:12 Rep. Noonan
00:34:14 Chairman Ehli
00:34:24 Rep. Noonan
00:35:08 Chairman Ehli
00:35:22 Rep. Noonan
00:35:45 Chairman Ehli
00:36:18 Rep. Noonan
00:36:54 Mary Dalton, Branch Manager, Medicaid and Health Services, Department of Public Health and Human Services (DPHHS)
00:37:50 Sen. Priest left the meeting.

00:37:29 **Vote:** Motion carried unanimously by roll call vote. Sen. Priest voted by proxy.

00:38:20 **Motion:** Sen. Caferro moved **TO INCREASE PROVIDER RATE APPROVED BY THE COMMITTEE FOR DEVELOPMENTAL DISABILITIES PROGRAM MEDICAID CORE FROM THE 2.0% APPROVED BY THE COMMITTEE IN DECISION PACKET 10901 AND DECISION PACKET 20902, TO 5.0%. THE INCREMENTAL COSTS FOR THIS PROPOSAL WILL BE PROVIDED FROM THE GENERAL AND FEDERAL FUNDS APPROPRIATED FOR THE MONTANA DEVELOPMENTAL CENTER.**

Discussion:

00:39:46 Sen. Caferro
00:42:42 Chairman Ehli
00:43:24 Sen. Caferro
00:44:44 Chairman Ehli
00:45:28 Sen. Caferro
00:46:02 Chairman Ehli
00:46:14 Sen. Caferro
00:47:54 Chairman Ehli
00:48:32 Sen. Caferro
00:48:49 Chairman Ehli
00:49:11 Sen. Caferro
00:49:19 Chairman Ehli
00:49:47 Sen. Caferro
00:50:55 Chairman Ehli
00:51:05 Rep. Hagstrom
00:51:26 Chairman Ehli
00:51:34 Sen. Caferro
00:52:23 Chairman Ehli

00:52:26 Sen. Caferro **WITHDREW** previous motion.

01:01:49 Chairman Ehli
01:02:05 Rob Miller, LFD
01:06:49 Sen. Webb
01:07:05 Chairman Ehli
01:07:10 Sen. Web

01:07:20 Chairman Ehli
01:07:23 Sen. Webb
01:08:24 Rep. Ehli
01:08:27 Sen. Caferro
01:08:55 Sen. Webb
01:09:36 Chairman Ehli

01:10:31 **Motion:** Sen. Caferro moved **TO INCREASE PROVIDER RATE APPROVED BY THE COMMITTEE FOR DEVELOPMENTAL DISABILITIES PROGRAM MEDICAID CORE FROM THE 2.0% APPROVED BY THE COMMITTEE IN DECISION PACKET 10901 AND DECISION PACKET 20902, TO 5.0%. THE INCREMENTAL COSTS FOR THIS PROPOSAL WILL BE PROVIDED FROM THE GENERAL AND FEDERAL FUNDS APPROPRIATED FOR THE MONTANA DEVELOPMENTAL CENTER.**

[EXHIBIT\(jhh39b04\)](#)

Discussion:

01:11:40 Rep. Hagstrom
01:12:08 Sen. Caferro
01:13:01 Rep. Hagstrom
01:13:15 Rob Miller, LFD
01:14:05 Ms. Dalton, DPHHS
01:14:58 Rep. Hagstrom
01:15:04 Chairman Ehli

01:15:52 **Vote:** Motion failed 3-3 by roll call vote with Sen. Caferro, Sen. Priest and Sen. Webb voting aye. Sen. Priest voted by proxy.

01:16:00 **Motion:** Sen. Caferro moved **TO INCREASE THE ADDICTIVE AND MENTAL DISORDERS DIVISION APPROPRIATION (AS SHOWN IN EXHIBIT 5) TO ADD ONE TIME FUNDS FOR GRANTS TO COUNTIES TO DEVELOP MENTAL HEALTH CRISIS JAIL DIVERSION SERVICES AND ADD LANGUAGE GOVERNING THE USE OF THE APPROPRIATION.**

[EXHIBIT\(jhh39b05\)](#)

Discussion:

01:17:31 Chairman Ehli
01:17:35 Sen. Caferro
01:19:46 Chairman Ehli
01:19:53 Rep. Noonan
01:21:45 Chairman Ehli
01:23:05 Sen. Caferro
01:23:48 Rep. Hagstrom
01:24:10 Sen. Caferro
01:24:34 Rep. Hagstrom
01:24:39 Lois Steinbeck, LFD
01:25:28 Rep. Hagstrom
01:26:02 Chairman Ehli

01:26:24 **Vote:** Motion carried 6-0 by roll call vote with Sen. Priest voting by proxy.

01:26:27 Lois Steinbeck, LFD

01:26:51 **Motion:** Sen. Webb moved **A GLOBAL MOTION TO VOTE ON DECISION PACKAGES 70108, 70121, AND 70122 AS A PACKAGE.**

Discussion:

01:26:58 Rep. Noonan
01:27:11 Chairman Ehli
01:27:19 Sen. Caferro
01:27:36 Lois Steinbeck, LFD
01:27:58 Chairman Ehli

01:28:25 **Vote:** Motion carried 5-0 by voice vote. Sen. Priest did not vote.

01:28:35 Chairman Ehli

01:28:37 **Motion/Vote:** Sen. Webb moved that **DECISION PACKAGES 70108, 70121 AND 70122 BE ADOPTED.** Motion carried 5-1 by voice vote with Rep. Hagstrom voting no. Sen. Priest voted by proxy.

01:29:59 **Motion:** Rep. Noonan moved to **APPROPRIATE \$400,000 GENERAL FUND OVER THE BIENNIUM TO PROVIDE SHORT TERM HOUSING ASSISTANCE FOR PERSONS TRANSITIONING TO COMMUNITY SERVICES FROM MEDICAID FACILITY BASED CARE UNDER MONEY FOLLOWS THE PERSONS GRANT FUNDING. THE LANGUAGE IMPLEMENTING THE APPROPRIATION IS LISTED IN EXHIBIT 6.**

[EXHIBIT\(jhh39b06\)](#)

Discussion:

01:31:46 Chairman Ehli

01:31:54 **Substitute Motion:** Sen. Webb made a substitute motion to **MAKE IT ONE TIME ONLY FUNDING.**

Discussion:

01:32:27 Rep. Noonan
01:32:49 Chairman Ehli

01:33:03 **Vote:** Motion carried unanimously by roll call vote. Sen. Priest voted by proxy.

01:33:37 **Vote:** Motion carried unanimously by roll call vote. Sen. Priest voted by proxy.

01:34:04 **Motion:** Sen. Caferro moved that **TO RECONSIDER THE COMMITTEE'S ACTIONS ON DECISION PACKAGE 12102.**

Discussion:

01:34:55 Chairman Ehli
01:35:03 Sen. Caferro

01:36:16 **Vote:** Motion carried 5-1 by roll call vote with Rep. Hagstrom voting no. Sen. Priest voted by proxy.

01:36:19 **Motion:** Sen. Caferro moved that **DECISION PACKAGE 12102 BE ADOPTED.**

Discussion:

01:36:41 Chairman Ehli

01:37:14 Rep. Hagstrom

01:37:23 Chairman Ehli

01:37:48 **Vote:** Motion carried 4-2 by roll call vote with Rep. Hagstrom and Sen. Priest voting no. Sen. Priest voted by proxy.

01:37:57 **Motion:** Rep. Noonan moved to **PROVIDE \$500,000 GENERAL FUND IN FISCAL YEAR 2014 AND \$750,000 IN FISCAL YEAR 2015 TO THE EARLY CHILDHOOD SERVICES BUREAU TO AUTHORIZE THE BUREAU TO ADJUST THE FEDERAL POVERTY INDEX LEVELS TO SERVE CONSTITUENTS AT OPTIMUM PARTICIPATION POSSIBLE IN FISCAL YEAR 2013 AND FISCAL YEAR 2015 WITH FUNDING NOT TO EXCEED \$500,000 IN FISCAL YEAR 2014 AND \$750,000 IN FISCAL YEAR 2015.**

EXHIBIT(jhh39b07)

Discussion:

01:40:15 Chairman Ehli

01:40:29 Rep. Hagstrom

01:40:41 Rep. Noonan

01:41:17 Rep. Hagstrom

01:41:27 Rep. Noonan

01:42:02 Chairman Ehli

01:42:17 Rep. Noonan

01:43:01 Jamie Palagi, DPHHS

01:43:10 Rep. Noonan

01:43:30 Jamie Palagi, DPHHS

01:44:36 Rep. Noonan

01:44:41 Chairman Ehli

01:45:04 Rep. Noonan

01:45:15 Jamie Palagi, DPHHS

01:45:30 Chairman Ehli

01:45:50 Jamie Palagi, DPHHS

01:46:10 Chairman Ehli

01:47:13 Rep. Noonan

01:47:37 Chairman Ehli

01:47:58 **Vote:** Motion carried 4-2 by roll call vote with Rep. Ehli and Sen. Webb voting no. Sen. Priest voted by proxy.

01:48:31 Sen. Caferro

01:48:43 Chairman Ehli

01:48:57 **Motion:** Sen. Caferro moved to **REDUCE APPROPRIATION FOR THE MAGELLAN UTILIZATION REVIEW CONTRACT (AS SHOWN IN EXHIBIT 8) AND TO INCREASE APPROPRIATION FOR CHILDREN'S MENTAL HEALTH CASE MANAGEMENT (AS SHOWN IN EXHIBIT 8).**

[EXHIBIT\(jhh39b08\)](#)

Discussion:

01:53:23 Chairman Ehli
01:53:50 Rep. Hagstrom
01:54:03 Sen. Caferro
01:55:16 Chairman Ehli
01:55:20 Rep. Noonan
01:55:46 Chairman Ehli
01:56:03 Sen. Caferro
01:56:23 Chairman Ehli

01:56:55 **Vote:** Motion carried 4-2 by roll call vote with Rep. Hagstrom and Sen. Webb voting no. Sen. Priest voted by proxy.

01:57:02 Sen. Caferro
01:57:13 Chairman Ehli
01:57:32 Sen. Caferro
01:57:41 Chairman Ehli
01:57:49 Sen. Caferro
01:58:02 Chairman Ehli

01:58:06 **Motion:** Sen. Caferro moved to **INCREASE THE FUNDING FOR RESPITE CARE FOR SERIOUSLY EMOTIONALLY DISTURBED CHILDREN TO SUPPORT CASE MANAGEMENT AND ROOM AND BOARD. FUNDING IS TO BE OBTAINED BY REDUCING THE FUNDING BY LIKE AMOUNT, FROM THE I-HOMES PROGRAM.**

[EXHIBIT\(jhh39b09\)](#)

Discussion:

02:00:31 Chairman Ehli
02:01:01 Sen. Caferro
02:05:27 Chairman Ehli
02:06:46 Sen. Caferro
02:07:55 Chairman Ehli

02:08:11 **Vote:** Motion failed 3-3 by roll call vote with Sen. Caferro, Rep. Hagstrom and Rep. Noonan voting aye. Sen. Priest voted by proxy.

02:08:41 **Motion:** Sen. Caferro moved to **INCREASE MEDICAID RATES FOR PSYCHIATRY SERVICE TO 175% OF THE RESOURCES BASED RELATIVE VALUE SCALE (RBRVS) USED FOR PSYCHIATRY SERVICES. FUNDING AS SHOWN IN EXHIBIT 10.**

[EXHIBIT\(jhh39b10\)](#)

Discussion:

02:10:35 Chairman Ehli

02:10:45 Rep. Noonan

02:11:57 Sen. Caferro

02:12:05 Chairman Ehli

02:12:36 **Vote:** Motion failed 3-3 by roll call vote with Sen. Caferro, Rep. Noonan and Sen. Priest voting aye. Sen. Priest voted by proxy.

02:12:41 Chairman Ehli

02:13:21 Rob Miller, LFD

02:14:07 Lois Steinbeck, LFD

EXHIBIT(jhh39b11)

02:14:14 Sen. Caferro left the meeting.

02:17:22 Chairman Ehli

ADJOURNMENT

Adjournment: 02:17:56

Marissa Stockton, Secretary

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Additional Documents:

EXHIBIT([jhh39bad.pdf](#))