

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair Jason Priest, on March 27, 2013 at 3:00 PM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Jason Priest, Chair (R)
Sen. Terry Murphy, Vice Chair (R)
Sen. Mary Caferro (D)
Sen. Greg Jergeson (D)
Sen. David E. Wanzenried (D)

Members Excused:

Sen. Fred Thomas (R)
Sen. Art Wittich (R)

Members Absent: None

Staff Present: Julie Emge, Committee Secretary
Alexis Sandru, 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 450, 3/25/2013; SB 383, 3/21/2013; SB 391, 3/21/2013;
SB 393, 3/21/2013; SB 395, 3/21/2013

Executive Action on: SB 383 - Table
SB 391 - Table
SB 393 - Do Not Pass
SB 395 - Do Not Pass As Amended

HEARING ON HB 450

Opening Statement by Sponsor:

00:20:48 Rep. Roger Hagan (R), HD 19, opened the hearing on HB 450, Revise medical insurance and medical payment laws.

[EXHIBIT\(phs66a01\)](#)

Proponents' Testimony:

00:24:37 Mark Taylor, Montana Hospital Association

00:24:50 Sen. Thomas entered the hearing.

00:27:46 David McClain, representing Browning, Kaleczyc, Berry and Hoven Law Firm

00:33:17 Aimee Grmoljez, Billings Clinic, New West Health Services

00:33:47 Kevin McRae, Associate Commissioner of Higher Education, Montana University System

00:35:59 Mark Baker, representing Kalispell Regional Medical Center

00:37:03 Kiely Keane, Montana Medical Association

00:37:33 Mike Foster, representing Catholic Hospitals of Montana and Montana Chamber of Commerce

00:37:59 Bill Warden, representing Benefis Health System, Bozeman Deaconess Hospital and St. Peter's Hospital

00:38:10 Jessie Luther, representing Montana Municipal Interlocal Authority

00:38:36 Sheryl Wood, Associate Director, Montana Association of Counties

Opponents' Testimony:

00:39:05 Erik Thueson, representing himself

[EXHIBIT\(phs66a02\)](#)

00:45:41 Bruce Spencer, representing Allstate Insurance and Property Casualty Insurers Association

00:47:38 Curt Drake, representing himself

00:51:55 Adam Schafer, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)

00:52:50 Sarah Mazanec, representing The Honorable John Warner, Retired Montana Supreme Court Justice

00:55:31 Tyson Pallister, representing himself

01:02:15 Charma Rolan, representing herself

01:04:03 Greg Van Horssen, representing State Farm Insurance Company

01:04:54 Pat Fox, Doubek, Pyfer and Fox, LLP

[EXHIBIT\(phs66a03\)](#)

01:08:07 Al Smith, Montana Trial Lawyers Association (MTLA)

Informational Testimony: None

Questions from Committee Members and Responses:

01:15:50 Sen. Thomas
01:17:21 Mr. Thueson, self
01:17:47 Chairman Priest
01:18:10 Mr. Smith, MTLA
01:19:02 Sen. Thomas
01:19:38 Mr. Smith

EXHIBIT(phs66a04)

01:20:44 Chairman Priest
01:22:37 Adam Schafer, CSI
01:22:46 Christina Goe, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)
01:23:14 Chairman Priest
01:23:28 Ms. Goe, CSI

Closing by Sponsor:

01:24:29 Rep. Hagan
01:30:00 Brief Recess
01:35:50 Sen. Wittich entered the hearing.
01:35:53 Committee Reconvened

Note:

Due to the overlap of content related to SB 393 and SB 395, the sponsors agreed to present their bills jointly.

HEARING ON SB 393

Opening Statement by Sponsor:

01:36:39 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 393, Implement the Medicaid expansion.

HEARING ON SB 395

Opening Statement by Sponsor:

01:45:01 Sen. David Wanzenried (D), SD 49, opened the hearing on SB 395, Revise health care laws to expand Medicaid and improve health care delivery.
01:54:33 Sen. Murphy left the hearing.

Proponents' Testimony:

01:55:37 Matt Kuntz, Executive Director, National Alliance on Mental Illness (NAMI) Montana

01:57:11 Monica Lindeen, Montana Commissioner of Securities and Insurance, State Auditor (CSI)

EXHIBIT(phs66a05)

02:01:05 Bob Olsen, Montana Hospital Association (MHA)

EXHIBIT(phs66a06)

02:09:41 Mark Semmens, Managing Director of Investment Banking for D.A. Davidson & Company

02:14:14 Richard Opper, Director, Montana Department of Public Health and Human Services (DPHHS)

02:16:24 Alicia Smith, Board Member, National Alliance on Mental Illness (NAMI) Montana

02:17:43 John Goodnow, CEO, Benefis Health Systems and Chair of the Montana Hospital Association

EXHIBIT(phs66a07)

02:19:52 Bill George, MD, Beartooth Billings Clinic

02:26:52 Steve Muth, Board President, Beartooth Billings Clinic

02:30:24 Dustin Monroe, Executive Director, Western Native Voice

02:32:37 Lynsey Bourke, Director of Development Outreach & Communications, Blue Mountain Clinic

02:35:31 Charlotte Trolinger, representing herself

02:36:31 Karen Cabell, MD, Billings Clinic

02:37:40 Jordan Brown, representing himself

EXHIBIT(phs66a08)

02:38:44 Bernadette Franks-Ongoy, Executive Director, Disability Rights Montana

02:39:30 Linda Gryczan, representing Montana Women's Lobby

02:40:00 Aidan Myhre, representing Kalispell Chamber of Commerce and Kalispell Regional Medical Center

EXHIBIT(phs66a09)

02:40:22 Olivia Riutta, Co-Director, Montana Women Vote

EXHIBIT(phs66a10)

02:41:03 Melanie Reynolds, Health Officer, Lewis & Clark County, Association of Public Health Officials, Montana Public Health Association

02:41:51 Mike Geurin, MD, Riverstone Health Clinic Board, Yellowstone County Board of Health, Community Health Center Physicians

EXHIBIT(phs66a11)

02:42:21 Maryann Dunwell, representing herself

EXHIBIT(phs66a12)

02:43:42 Sarah Wilhelm, Research Director, Montana Budget and Policy Center (MBPC)

02:44:00 Bob Marsalli, Montana Primary Care Association

02:44:11 Ed Bartlett, Big Sky Economic Authority, Billings Area Chamber of Commerce
[EXHIBIT\(phs66a13\)](#)

02:44:27 Michael Brown, MD, Montana Medical Association, Rocky Mountain Health Network

02:44:53 Jackie Helt, SEIU Healthcare 775 NW

02:45:23 Terry Minow, Montana Education Association - Montana Federation of Teachers (MEA-MFT)

02:45:34 Jennifer James, representing Montana Addiction Services Providers and Boyd Andrew Management Services

02:45:47 Bradley Howell, Roundup Memorial Healthcare

02:46:00 Frank Cote, Blue Cross and Blue Shield of Montana

02:46:07 Joan Marie McMahon, MD, representing Montana Medical Association

02:46:23 Aimee Grmoljez, New West Health Services (NWHS)

[EXHIBIT\(phs66a14\)](#)

02:46:36 Jim Ahrens, representing the American Cancer Society, Cancer Action Network, Western/Eastern and Local Mental Health Centers

02:46:51 Carla Neiman, CFO, Clark Fork Valley Hospital

[EXHIBIT\(phs66a15\)](#)

02:47:07 Claudia Clifford, Advocacy Director, AARP Montana

02:47:29 Moe Wosepka, Executive Director, Montana Catholic Conference

02:47:57 Mona Jamison, representing Shodair Children's Hospital and the Montana Chapter of the American Physical Therapy Association

02:48:29 Abigail St. Lawrence, Montana Association of Churches

02:48:53 Kelsen Young, Executive Director, Montana Coalition Against Domestic & Sexual Violence

02:49:12 Kim Abbott, Montana Human Rights Network

02:49:24 Bill Warden, St. Peter's Hospital, Benefis Healthcare System and Bozeman Deaconess Hospital (BDH)

02:49:38 Mike Foster, Catholic Hospitals of Montana

02:49:55 Steve Carlson, CEO, Community Medical Center (CMC)

02:50:06 Stacy Anderson, Director of Public Affairs, Planned Parenthood of Montana

02:50:26 Don Judge, Montana Nurses Association

[EXHIBIT\(phs66a16\)](#)

02:50:56 Sheena Rice, Montana Organizing Project

02:51:17 Kim Leighton, representing NARAL Pro-Choice Montana

Opponents' Testimony: None

Informational Testimony:

02:51:46 Mary Dalton, State Medicaid Director, Montana Department of Public Health & Human Services (DPHHS)

02:51:57 Greg Davis, PhD, Bureau of Business and Economic Research, University of Montana (UM)

Questions from Committee Members and Responses:

02:52:18 Sen. Wittich
02:55:51 Sen. Kaufmann
02:57:13 Sen. Wanzenried
02:59:00 Sen. Wittich
03:00:35 Sen. Wanzenried
03:01:24 Mr. Olsen, MHA
03:02:41 Sen. Wittich
03:06:48 Mr. Olsen
03:08:00 Sen. Caferro
03:08:17 Chairman Priest
03:08:31 Sen. Caferro
03:10:11 Mr. Carlson, CMC
03:10:23 Mr. Olsen
03:10:39 Sen. Caferro
03:10:55 Mr. Olsen
03:12:04 Sen. Caferro
03:13:16 Sen. Wanzenried
03:13:58 Sen. Caferro
03:14:53 Ms. Grmoljez, NWHS
03:15:35 Sen. Thomas
03:16:49 Mr. Opper, DPHHS
03:17:38 Prof. Davis, UM
03:18:34 Chairman Priest
03:19:31 Prof. Davis
03:20:26 Chairman Priest
03:20:59 Mr. Olsen
03:22:54 Chairman Priest
03:23:43 Sen. Thomas
03:27:15 Mr. Opper
03:27:37 Sen. Thomas
03:28:00 Prof. Davis
03:30:17 Chairman Priest

03:30:44 Sen. Murphy entered the hearing.

03:31:16 Mr. Warden, BDH
03:31:40 Mr. Olsen
03:32:13 Chairman Priest
03:32:21 Mr. Olsen
03:32:41 Prof. Davis
03:32:50 Sen. Wittich
03:36:39 Mr. Olsen
03:38:16 Sen. Wittich
03:41:32 Ms. Dalton, DPHHS
03:42:18 Sen. Caferro
03:43:58 Ms. Welhelm, MBPC
03:44:19 Chairman Priest
03:44:44 Sen. Wanzenried

03:44:49 Sen. Wittich
03:49:52 Prof. Davis
03:54:05 Chairman Priest
03:55:37 Prof. Davis
03:55:51 Chairman Priest
03:55:56 Sen. Wittich
03:56:00 Sen. Thomas
03:56:05 Prof. Davis
03:56:46 Chairman Priest
03:57:23 Sen. Wanzenried
03:57:31 Chairman Priest
03:57:54 Mr. Olsen
03:57:59 Chairman Priest
03:59:55 Prof. Davis

Closing by Sponsor:

04:00:30 Sen. Kaufmann
04:03:33 Sen. Wanzenried

HEARING ON SB 391

Opening Statement by Sponsor:

04:09:08 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 391, Revise laws related to sale of non-profit insurance companies.

Proponents' Testimony:

04:12:39 Claudia Clifford, Advocacy Director, AARP Montana

Opponents' Testimony: None

Informational Testimony:

04:13:37 Jesse Laslovich, Chief Legal Council, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)

Questions from Committee Members and Responses:

04:13:50 Sen. Thomas
04:15:15 Mr. Laslovich, CSI
04:15:23 Chairman Priest
04:15:40 Mr. Laslovich
04:16:12 Sen. Wittich
04:17:29 Sen. Kaufmann
04:17:40 Mr. Laslovich
04:18:35 Sen. Wittich
04:21:14 Mr. Laslovich

Closing by Sponsor:

04:21:35 Sen. Kaufmann

HEARING ON SB 383

Opening Statement by Sponsor:

04:21:50 Sen. David Wanzenried (D), SD 49, opened the hearing on SB 383, Generally revise health care insurance laws.

04:22:03 Chairman Priest left the hearing and Vice Chair Murphy took over responsibilities as Chair.

Proponents' Testimony:

04:25:33 Lucas Hamilton, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)

[EXHIBIT\(phs66a17\)](#)

04:31:34 Claudia Clifford, Advocacy Director, AARP Montana

04:32:14 Stacy Anderson, Director of Public Affairs, Planned Parenthood of Montana

Opponents' Testimony:

04:32:50 Bruce Spencer, representing America's Health Insurance Plans

Informational Testimony:

04:33:50 Christina Goe, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)

Questions from Committee Members and Responses:

04:34:16 Sen. Thomas

04:35:00 Chairman Priest entered the hearing and resumed the role as Chair.

04:36:22 Mr. Hamilton, CSI

04:37:16 Chairman Priest

04:37:43 Sen. Wanzenried

04:39:03 Sen. Wittich

04:39:44 Mr. Hamilton

04:40:09 Sen. Wittich

Closing by Sponsor:

04:40:32 Sen. Wanzenried

Committee Business:

04:42:20 Chairman Priest
 04:43:23 Sen. Caferro
 04:43:30 Chairman Priest
 04:43:44 Sen. Thomas
 04:43:53 Chairman Priest
 04:43:56 Sen. Murphy
 04:44:00 Sen. Wittich
 04:44:23 Chairman Priest
 04:46:45 Sen. Jergeson
 04:47:12 Sen. Murphy
 04:47:20 Sen. Wittich
 04:47:33 Sen. Murphy
 04:47:45 Sen. Thomas
 04:47:53 Sen. Murphy
 04:47:55 Chairman Priest
 04:48:05 Sen. Wittich
 04:48:19 Chairman Priest

 04:49:02 Recess

 04:55:35 Committee Reconvened

EXECUTIVE ACTION ON SB 383

04:55:56 **Motion:** Sen. Thomas moved that **SB 383 DO PASS.**

04:56:13 **Motion:** Sen. Wanzenried moved that **SB 383 BE AMENDED.**
[**EXHIBIT\(phs66a18\)**](#)

04:57:07 **Vote:** Motion carried 7-0 by voice vote.

04:57:15 **Motion/Vote:** Sen. Wanzenried moved that **SB 383 DO PASS AS AMENDED.**
 Motion failed 3-4 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting aye.

04:58:00 Without objection from the committee, Sen. Thomas requested the vote be reversed and the bill **TABLED.**

EXECUTIVE ACTION ON SB 391

04:58:12 **Motion/Vote:** Sen. Thomas moved that **SB 391 DO PASS.** Motion failed 3-4 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting aye.

04:59:03 Without objection from the committee, Sen. Priest requested the vote be reversed and the bill **TABLED.**

EXECUTIVE ACTION ON SB 393

04:59:09 **Motion:** Sen. Thomas moved that **SB 393 DO NOT PASS.**

04:59:25 **Substitute Motion/Vote:** Sen. Jergeson made a substitute motion that **SB 393 BE TABLED.** Substitute Motion failed 3-4 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting aye.

04:59:58 **Vote:** Motion passed 4-3 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting nay.

EXECUTIVE ACTION ON SB 395

05:00:40 **Motion:** Sen. Thomas moved that **SB 395 DO NOT PASS.**

Discussion:

05:00:57 Sen. Jergeson
05:01:22 Chairman Priest

05:01:44 **Motion:** Sen. Thomas moved that **SB 395 BE AMENDED.**
EXHIBIT(phs66a19)

Discussion:

05:01:52 Chairman Priest

05:02:25 **Vote:** Motion carried 4-3 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting nay.

05:02:56 **Motion:** Sen. Thomas moved that **SB 395 DO NOT PASS AS AMENDED.**

05:03:03 Sen. Wanzenried
05:03:12 Chairman Priest
05:03:20 Sen. Wanzenried

05:05:09 **Substitute Motion:** Sen. Wanzenried made a substitute motion that **SB 395 DO PASS AS AMENDED.**

Discussion:

05:05:19 Chairman Priest
05:05:25 Sen. Thomas
05:06:40 Sen. Wittich
05:08:41 Sen. Jergeson
05:10:05 Sen. Wittich
05:11:03 Sen. Wanzenried
05:13:44 Chairman Priest
05:14:55 Sen. Wittich
05:16:12 Sen. Wanzenried

05:18:25 Sen. Caferro
05:18:37 Chairman Priest
05:18:50 Sen. Jergeson
05:19:00 Chairman Priest
05:19:37 Sen. Caferro
05:19:40 Chairman Priest
05:23:36 Sen. Wanzenried
05:23:49 Chairman Priest
05:23:59 Sen. Thomas
05:26:12 Chairman Priest
05:26:30 Sen. Caferro
05:31:45 Chairman Priest
05:33:26 Sen. Wittich
05:35:25 Chairman Priest

05:35:40 **Vote:** Substitute motion failed 3-4 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting aye.

05:36:04 Chairman Priest

05:36:35 **Substitute Motion/Vote:** Sen. Jergeson made a substitute motion to adjourn the meeting. Substitute motion failed 3-4 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting aye.

05:36:57 Chairman Priest

05:37:11 **Vote:** Motion carried 4-3 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting nay.

ADJOURNMENT

Adjournment: 8:45 pm

Julie Emge, Secretary

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Additional Documents:

EXHIBIT([phs66aad.pdf](#))