

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



ANGELA McLEAN
LT. GOVERNOR

May 6, 2015

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

I hereby sign into law Senate Bill 411, "AN ACT REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO CLOSE THE MONTANA DEVELOPMENTAL CENTER; CREATING A TEMPORARY TRANSITION PLANNING COMMITTEE TO ASSIST THE DEPARTMENT IN DEVELOPING OF A PLAN FOR CLOSURE; REQUIRING THE DEPARTMENT TO MOVE RESIDENTS INTO COMMUNITY-BASED SERVICES; ESTABLISHING THE DEPARTMENT'S DUTIES; ESTABLISHING LIMITS ON ADMISSIONS TO THE MONTANA DEVELOPMENTAL CENTER; ESTABLISHING LIMITS ON EXPENDITURES; AMENDING SECTIONS 20-7-401, 53-20-102, 53-20-104, 53-20-125, 53-20-129, 53-20-146, 53-20-148, 53-20-161, 53-20-163, 53-20-214, AND 90-7-220, MCA; AND PROVIDING EFFECTIVE DATES."

Senate Bill 411 has inspired passionate and heartfelt debate on both sides of the issue. Proponents and opponents alike are genuinely motivated by the best interests of the current and future residents of the Montana Developmental Center (MDC). Indeed, even family members of residents are divided on this bill. Like them, first and foremost, I am committed to ensuring that the population served at MDC has access to the safest and most effective treatment possible.

After years of challenges at MDC and extensive debate, a bipartisan majority of the Legislature has overwhelmingly supported SB 411. Although I have concerns about the approach taken by this bill, I have decided to defer to the Legislature's policy determination.

In order to fulfill the obligations imposed by SB 411, the state, community-based providers, and stakeholders must work together to find pathways to community-based treatment for those who are ready. Roughly twenty-four of the fifty-three Montanans who are currently residing at MDC are ready for community placement. A lot has been said about who is responsible for those lack of placements, but in the end it does not matter who is to blame. We have a legal and moral obligation to work together toward solutions.

Unfortunately, in the heated debates surrounding SB 411, some misunderstandings about the bill's requirements and timelines took hold, causing no small amount of fear and panic in some of the

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family members of residents of MDC. SB 411 requires that “most residents” be placed in community settings by the end of 2016. A significant number are already ready for community placement. In the coming months, community providers must work closely with the Department of Health and Human Services (Department), to make sure that those placements occur. We have worked together in the past to make such placements a reality. We will do so again.

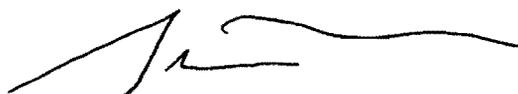
I also firmly believe that we will continue to need a state-run facility or facilities for those who are not ready for less restrictive, community-based placements. Nothing in SB 411 precludes such a possibility. Under SB 411, those individuals who are not ready to be placed in community settings can remain at MDC through the 2017 legislative session. By that time, we must have a safe and effective plan for ongoing secure facilities, whether in Boulder or elsewhere. The Department will work diligently with the transition planning committee over the next two years to ensure that a responsible plan for ongoing care and treatment is in place.

At the request of my administration, SB 411 was amended to provide the 200-plus workers who earn their living at MDC a voice on the transition planning committee and to require the committee to consider a repurposing of the MDC campus. While my first priority is the safe and effective treatment of the individuals who live at MDC, I am also committed to making sure that the people who care for them can successfully transition into other jobs and to considering all options for use of the campus.

I want to make clear that my signature is not a condemnation of the community of Boulder or the dedicated workers at MDC, who, for decades, have embraced MDC and its residents. They deserve our collective thanks and respect for the home they have created and maintained for people with serious developmental disabilities. I am committed to working in partnership with the Boulder community to make sure that the workers at MDC continue to have meaningful employment and that the campus of MDC continues to both serve the state and contribute to the community. I understand that our system of care can only be as good as our workforce. We must continue to value and support that workforce as our systems evolve.

I have seen over and over again what a compassionate and intelligent group of dedicated Montanans can accomplish together. I believe we are collectively up to the challenge. People with serious developmental disabilities are counting on us.

Sincerely,



STEVE BULLOCK

Governor

cc: Legislative Services Division
Debby Barrett, President of the Senate
Austin Knudsen, Speaker of the House