

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair Art Wittich, on February 20, 2015 at 3:00 PM, in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Art Wittich, Chair (R)
Rep. Ellie Boldman Hill, Vice Chair (D)
Rep. Kirk Wagoner, Vice Chair (R)
Rep. Alan Doane (R)
Rep. Jennifer Eck (D)
Rep. Denise Hayman (D)
Rep. Stephanie Hess (R)
Rep. Jessica Karjala (D)
Rep. Forrest Mandeville (R)
Rep. Albert Olszewski (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Alan Redfield (R)
Rep. Vince Ricci (R)

Members Excused: Rep. Seth Berglee (R)
Rep. Bill Harris (R)
Rep. Tom Jacobson (D)
Rep. Gordon Pierson Jr (D)

Members Absent: None

Staff Present: Sue O'Connell, Legislative Branch
Phoebe Williams, Committee Secretary

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 498, 2/16/2015; HB 517, 2/16/2015; HB 524, 2/16/2015

HEARING ON HB 517**Opening Statement by Sponsor:**

00:01:07 Rep. Jeff Essmann (R), HD 54, opened the hearing on HB 517, Revising laws regarding the commitment of incapacitated persons.

Proponents' Testimony:

00:03:46 Leo Gallagher, Lewis and Clark County Attorney

[EXHIBIT\(huh39a01\)](#)

[EXHIBIT\(huh39a02\)](#)

[EXHIBIT\(huh39a03\)](#)

[EXHIBIT\(huh39a04\)](#)

00:15:09 Beth Brenneman, Disability Rights Montana

00:18:22 Luke Berger, Lewis and Clark County Deputy County Attorney

00:22:16 Larry Epstein, Montana County Attorneys Association

00:22:56 Claudia Clifford, American Association of Retired People (AARP)

Opponents' Testimony: None**Informational Testimony:**

00:23:51 Glenda Oldenburg, Department of Health and Human Services (DPHHS)

00:24:39 Leo Gallagher, Lewis and Clark County Attorney

00:25:11 Chairman Wittich

00:25:17 Leo Gallagher, Lewis and Clark County Attorney

Questions from Committee Members and Responses:

00:25:31 Rep. Hayman

00:26:14 Leo Gallagher, Lewis and Clark County Attorney

00:27:02 Rep. Hess

00:27:32 Leo Gallagher, Lewis and Clark County Attorney

00:27:44 Rep. Hess

00:28:00 Leo Gallagher, Lewis and Clark County Attorney

00:28:06 Rep. Hess

00:28:31 Leo Gallagher, Lewis and Clark County Attorney

00:29:15 Chairman Wittich

00:29:51 Leo Gallagher, Lewis and Clark County Attorney

00:30:06 Chairman Wittich

00:30:26 Leo Gallagher, Lewis and Clark County Attorney

00:30:50 Chairman Wittich

00:31:20 Leo Gallagher, Lewis and Clark County Attorney

[EXHIBIT\(huh39a05\)](#)

00:31:40 Chairman Wittich

00:32:20 Luke Berger, Lewis and Clark Deputy County Attorney

00:33:30 Chairman Wittich

00:33:56 Luke Berger, Lewis and Clark Deputy County Attorney

00:34:06 Chairman Wittich

00:34:21 Leo Gallagher, Lewis and Clark County Attorney

00:37:25 Chairman Wittich

00:37:36 Rep. Hayman
00:37:43 Rep. Harris joined the meeting
00:37:45 Leo Gallagher, Lewis and Clark County Attorney
00:38:53 Rep. Karjala
00:40:04 Rep. Essmann
00:41:24 Chairman Wittich
00:36:20 Rep. Hayman

Closing by Sponsor:

00:42:26 Rep. Essmann

HEARING ON HB 498**Opening Statement by Sponsor:**

00:43:47 Rep. Kathleen Williams (D), HD 61, opened the hearing on HB 498, Provide for consumer opt-out provisions to prevent surprise medical bills.

[EXHIBIT\(huh39a06\)](#)

[EXHIBIT\(huh39a07\)](#)

Proponents' Testimony:

00:50:22 Bill Warden, Bozeman Deaconess Hospital
00:50:53 Emily Samhammer, Montana State Auditor's Office
00:57:29 Mona Jamison, Montana Physical Therapy Association

Opponents' Testimony:

00:58:42 Bruce Spencer, America's Health Insurance Plans
01:04:59 Bill Lambardi, Blue Cross Blue Shield Montana

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:06:47 Rep. Williams
01:07:01 Rep. Jacobson joined the meeting

HEARING ON HB 524**Opening Statement by Sponsor:**

01:08:37 Rep. Kathy Kelker (D), HD 47, opened the hearing on HB 524, Require publishing of vaccine schedule and reporting to Legislature.

01:16:44 Vice Chair Wagoner took the Chair

Proponents' Testimony:

01:19:29 Terry Minow, MEA-MFT
01:21:14 Sheila Idzerda, American Academy of Pediatrics
01:23:10 Laurie Bryon, Self
01:25:15 Aimee Grmoljez, Billings Clininc

01:26:00 Rep. Berglee joined the meeting

Opponents' Testimony: None

Informational Testimony:

01:26:08 Sarah Carlson, Legislative Audit Division (LAD)

01:26:58 Jim Murphy, Department of Public and Health and Human Services (DPHHS)

Questions from Committee Members and Responses:

01:27:22 Rep. Hayman

01:27:55 Jim Murphy, DPHHS

01:28:03 Rep. Hayman

01:28:34 Jim Murphy, DPHHS

01:29:03 Rep. Hayman

01:29:31 Rep. Kelker

01:31:51 Rep. Mandeville

01:32:43 Rep. Kelker

01:33:29 Rep. Doane

01:34:14 Rep. Kelker

01:34:43 Rep. Doane

01:34:50 Rep. Kelker

Closing by Sponsor:

01:35:01 Rep. Kelker

01:36:02 RECESS

01:55:40 RECONVENE

EXECUTIVE ACTION ON HB 399

01:56:53 **Motion:** Rep. Wagoner moved that **HB 399 DO PASS.**

01:57:35 **Motion:** Rep. Wagoner moved that **HB 399 BE AMENDED.**

EXHIBIT(huh39a08)

Discussion:

01:57:59 Sue O'Connell, LSD

01:58:24 Chairman Wittich

01:58:28 Rep. Olszewski

01:58:34 Rep. Redfield

01:58:45 Rep. Olszewski

01:59:38 Chairman Wittich

01:59:48 Rep. Olszewski

02:00:19 Chairman Wittich

02:00:35 **Vote:** Motion failed 3-14 by roll call vote with Rep. Hess, Rep. Ricci and Rep. Wittich voting aye. Rep. Pierson voted by proxy.

02:01:43 Rep. Jacobson

02:02:49 Rep. Ricci

02:03:36 Rep. Hayman

02:03:58 Rep. Karjala

02:04:22 Rep. Olszewski

02:05:01 **Vote:** Motion failed 6-11 by roll call vote with Rep. Berglee, Rep. Hess, Rep. Olszewski, Rep. Ricci, Rep. Wagoner and Rep. Wittich voting aye. Rep. Pierson voted by proxy.

02:06:10 **Motion/Vote:** Rep. Wagoner moved that **HB 399 BE TABLED**. Motion carried 16-0 by voice vote. Rep. Pierson was excused.

EXECUTIVE ACTION ON HB 422

02:06:25 **Motion:** Rep. Wagoner moved that **HB 422 DO PASS**.

02:07:19 **Motion:** Rep. Wagoner moved that **HB 422 BE AMENDED**.
[EXHIBIT\(huh39a09\)](#)

Discussion:

02:07:29 Chairman Wittich
02:08:47 Rep. Pease -Lopez
02:09:01 Chairman Wittich
02:09:41 Rep. Jacobson
02:10:05 Chairman Wittich

02:11:25 **Vote:** Motion carried 16-1 by roll call vote with Rep. Jacobson voting no. Rep. Pierson voted by proxy.

02:12:27 **Motion:** Rep. Wagoner moved that **HB 422 DO PASS AS AMENDED**.

Discussion:

02:12:35 Rep. Doane

02:12:50 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Jacobson voted by proxy.

EXECUTIVE ACTION ON HB 472

02:14:26 **Motion:** Rep. Wagoner moved that **HB 472 DO PASS**.

02:15:07 **Motion:** Rep. Wagoner moved that **HB 472 BE AMENDED**.
[EXHIBIT\(huh39a10\)](#)

Discussion:

02:15:20 Sue O'Connell, LSD
02:17:55 Rep. Doane
02:18:34 Rep. Jacobson
02:18:53 Rep. Eck
02:19:03 Rep. Doane
02:21:30 Rep. Jacobson
02:21:34 Chairman Wittich
02:22:11 Rep. Jacobson
02:23:03 Chairman Wittich

02:23:27 Rep. Jacobson
 02:23:37 Chairman Wittich
 02:24:01 Rep. Doane
 02:24:52 Chairman Wittich
 02:25:22 Rep. Doane
 02:25:43 Chairman Wittich
 02:27:09 Rep. Redfield
 02:27:25 Rep. Jacobson
 02:28:43 Chairman Wittich
 02:29:36 Rep. Doane
 02:29:50 Rep. Eck
 02:30:07 Rep. Berglee

02:30:16 **Motion/Vote:** Rep. Wittich moved a conceptual amendment that **HB 472 BE AMENDED TO STRIKE 2A AND INSERT NUMBER 10 OF THE CURRENT AMENDMENT WITHOUT THE WORD SUSPECTED.** Motion carried 16-0 by voice vote. Rep. Pierson was excused.

02:30:54 Rep. Hayman
 02:31:40 Chairman Wittich

02:31:46 **Vote:** Motion carried 16-0 by voice vote. Rep. Pierson was excused.

02:31:53 **Motion:** Rep. Wagoner moved that **HB 472 DO PASS AS AMENDED.**

Discussion:

02:32:02 Rep. Redfield
 02:32:23 Rep. Hill

02:32:43 **Vote:** Motion carried 16-0 by voice vote. Rep. Pierson was excused.

EXECUTIVE ACTION ON HB 513

02:33:05 **Motion/Vote:** Rep. Wagoner moved that **HB 513 DO PASS.** Motion carried 16-1 by voice vote with Rep. Wagoner voting no. Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 73

02:34:20 **Motion:** Rep. Wagoner moved that **HB 73 DO PASS.**

Discussion:

02:34:53 Chairman Wittich
 02:35:02 Rep. Redfield

02:35:15 **Vote:** Motion failed 7-10 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting aye. Rep. Pierson voted by proxy.

02:36:33 **Motion/Vote:** Rep. Wagoner moved that **HB 73 BE TABLED.** Motion carried 16-0 by voice vote. Rep. Pierson was excused.

EXECUTIVE ACTION ON HB 237

02:36:43 Rep. Wagoner
 02:37:06 Rep. Olszewski
 02:38:34 Rep. Hess
 02:38:47 Rep. Olszewski
 02:39:54 Chairman Wittich

EXECUTIVE ACTION ON HB 544

02:40:02 **Motion:** Rep. Wagoner moved that **HB 544 DO PASS.**

Discussion:

02:40:30 Chairman Wittich
 02:40:57 Rep. Hill
 02:41:26 Chairman Wittich
 02:42:15 Rep. Hill
 02:42:28 Chairman Wittich

02:42:34 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 237

02:43:53 **Motion:** Rep. Wagoner moved that **HB 237 DO PASS.**

02:43:59 **Motion:** Rep. Wagoner moved that **HB 237 BE AMENDED.**
[EXHIBIT\(huh39a11\)](#)

Discussion:

02:44:07 Rep. Olszewski
 02:47:30 Rep. Eck
 02:47:44 Rep. Hess
 02:48:03 Rep. Olszewski

02:48:40 **Vote:** Motion carried 16-0 by voice vote. Rep. Pierson was excused.

02:48:49 **Motion:** Rep. Wagoner moved that **HB 237 DO PASS AS AMENDED.**

Discussion:

02:48:57 Rep. Redfield

02:49:17 **Vote:** Motion carried unanimously by voice vote. Rep. Pierson voted by proxy.

02:49:39 Chairman Wittich

EXECUTIVE ACTION ON HB 271

02:50:11 **Motion:** Rep. Wagoner moved that **HB 271 DO PASS.**

02:50:36 **Substitute Motion:** Rep. Redfield made a substitute motion that **HB 271 DO NOT PASS.**

Discussion:

02:51:19 Rep. Jacobson
 02:51:26 Chairman Wittich
 02:51:36 Rep. Redfield
 02:51:47 Chairman Wittich
 02:51:50 Rep. Hayman
 02:52:04 Chairman Wittich
 02:53:03 Rep. Hayman
 02:53:25 Chairman Wittich
 02:53:42 Rep. Eck
 02:53:48 Chairman Wittich
 02:54:10 Rep. Eck
 02:54:17 Rep. Hill
 02:54:39 Rep. Mandeville

02:54:52 **Vote:** Motion carried 9-8 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Olszewski, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 455

02:56:10 **Motion:** Rep. Wagoner moved that **HB 455 DO PASS.**

02:56:42 **Motion:** Rep. Wagoner moved that **HB 455 BE AMENDED.**
[EXHIBIT\(huh39a12\)](#)

Discussion:

02:57:09 Chairman Wittich
 02:57:31 Sue O'Connell, LSD
 02:58:06 Rep. Redfield
 02:58:23 Chairman Wittich
 02:58:48 Sue O'Connell, LSD
 02:59:27 Chairman Wittich
 02:59:32 Sue O'Connell, LSD
 02:59:51 Chairman Wittich
 02:59:58 Rep. Pease-Lopez
 03:00:12 Sue O'Connell, LSD
 03:00:30 Chairman Wittich
 03:01:09 Sue O'Connell, LSD
 03:01:16 Chairman Wittich

03:01:26 **Vote:** Motion carried 16-0 by voice vote. Rep. Pierson was excused.

03:01:36 **Motion:** Rep. Wagoner moved that **HB 455 DO PASS AS AMENDED.**

Discussion:

03:01:45 Rep. Hess
 03:02:14 Rep. Eck
 03:03:37 Rep. Redfield
 03:04:11 Rep. Karjala
 03:06:57 Rep. Harris
 03:07:47 Rep. Hill

03:09:16 Chairman Wittich

03:10:44 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Pierson voted by proxy.

ADJOURNMENT

Adjournment: 03:15:06

Phoebe Williams, Secretary

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Additional Documents:

EXHIBIT([huh39aad.pdf](#))