

HOUSE BILL NO. 33

INTRODUCED BY R. EHLE

BY REQUEST OF THE CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING MENTAL HEALTH CRISIS INTERVENTION AND JAIL DIVERSION SERVICES TO AREAS OF THE STATE THAT LACK SERVICES; REVISING REQUIREMENTS OF THE CRISIS INTERVENTION AND JAIL DIVERSION GRANT PROGRAM FOR COUNTIES; PROVIDING AN APPROPRIATION; AMENDING SECTION 53-21-1203, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-21-1203, MCA, is amended to read:

"53-21-1203. State matching fund grants for county crisis intervention, jail diversion, precommitment, and short-term inpatient treatment costs. (1) As soon as possible after July 1 of each year, from funds appropriated by the legislature for the purposes of this section, the department shall grant to each eligible county state matching funds for:

- (a) jail diversion and crisis intervention services to implement 53-21-1201 and 53-21-1202;
- (b) insurance coverage against catastrophic precommitment costs if a county insurance pool is established pursuant to 2-9-211; and
- (c) short-term inpatient treatment.

(2) Grant amounts must be based on available funding and the prospects that a county or multicounty plan submitted pursuant to subsection (3) will, if implemented, reduce admissions to the state hospital for emergency and court-ordered detention and evaluation and ultimately result in cost savings to the state. The department shall develop a sliding scale for state grants based upon the historical county use of the state hospital with a high-use county receiving a lower percentage of matching funds. The sliding scale must be based upon the number of admissions by county compared to total admissions and upon the population of each county compared to the state population.

(3) In order to be eligible for the state matching funds, a county shall, in the time and manner prescribed by the department:

- (a) apply for the funds and include in the grant application a detailed plan for how the county and other



1 local entities will collaborate and commit local funds for the mental health services listed in subsection (1);

2 (b) develop and submit to the department a county or multicounty jail diversion and crisis intervention
3 services strategic plan pursuant to 53-21-1201 and 53-21-1202, including a plan for community-based or regional
4 emergency and court-ordered detention and examination services and short-term inpatient treatment;

5 (c) participate in a statewide or regional county insurance plan for precommitment costs under 53-21-132
6 if a statewide or regional insurance plan has been established as authorized under 2-9-211;

7 (d) participate in a statewide or regional jail suicide prevention program if one has been established by
8 the department for the state or for the region in which the county is situated; and

9 (e) collect and report data and information on county jail diversion, crisis intervention, and short-term
10 inpatient treatment services in the form and manner prescribed by the department to support program evaluation
11 and measure progress on performance goals.

12 (4) (a) Money FOR THE BIENNIUM BEGINNING JULY 1, 2015, MONEY appropriated for the purposes of this
13 section that exceeds the amount appropriated for this purpose in fiscal year 2015 must be used to:

14 (i) create crisis intervention or jail diversion services in areas of the state that currently lack services; or

15 (ii) provide new crisis intervention or jail diversion services in areas of the state that have received state
16 matching funds pursuant to this section for other purposes; OR

17 (III) RECOGNIZE AN INCREASE IN THE DEMAND FOR OR USE OF SERVICES THAT HAVE RECEIVED FUNDING IN
18 PREVIOUS YEARS.

19 (b) The FOR THE BIENNIUM BEGINNING JULY 1, 2015, THE department shall, at a minimum, maintain the level
20 of state matching funds provided to counties that received matching funds in fiscal year 2015 if the counties
21 request continued funding of the services created or provided through use of the matching funds. IF A COUNTY
22 REQUESTS ADDITIONAL MATCHING FUNDS FOR CONTINUED FUNDING OF SERVICES PROVIDED THROUGH USE OF MATCHING
23 FUNDS IN PREVIOUS YEARS, THE DEPARTMENT SHALL CONSIDER WHETHER THE SERVICE IS EXPERIENCING INCREASED
24 DEMAND OR USE AS PROVIDED IN SUBSECTION (4)(A)(III) AND IS ELIGIBLE FOR INCREASED FUNDING.

25 (5) MONEY APPROPRIATED FOR THE PURPOSES OF THIS SECTION AFTER JUNE 30, 2017, MAY BE USED TO
26 SUPPORT SERVICES DEVELOPED THROUGH USE OF STATE MATCHING FUNDS IN PREVIOUS YEARS. IF AN APPROPRIATION
27 EXCEEDS THE BASE BUDGET, THE DEPARTMENT SHALL GIVE PRIORITY FOR USE OF THE ADDITIONAL MONEY TO COUNTIES
28 THAT ARE PROPOSING TO CREATE CRISIS INTERVENTION OR JAIL DIVERSION SERVICES IN AREAS OF THE STATE THAT LACK
29 SERVICES OR TO COUNTIES THAT ARE PROPOSING TO CREATE NEW SERVICES OR PROVIDE ADDITIONAL SERVICES IN AREAS
30 OF THE STATE THAT HAVE RECEIVED STATE MATCHING FUNDS FOR OTHER PURPOSES.

1 ~~(4)(5)(6)~~ The department shall adopt rules by August 1, 2011, to implement the provisions of this
2 section."

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4 **NEW SECTION. Section 2. Appropriation.** (1) There is appropriated \$2 million from the general fund
5 to the department of public health and human services for the biennium beginning July 1, 2015, to provide state
6 matching funds pursuant to 53-21-1203.

7 (2) EXPENDITURES FROM THIS APPROPRIATION ARE INTENDED TO BE ONGOING AND MUST BE INCLUDED IN THE
8 BUDGET PREPARED BY THE GOVERNOR FOR THE 2019 BIENNIUM.

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10 **COORDINATION SECTION. SECTION 3. COORDINATION INSTRUCTION.** (1) IF BOTH HOUSE BILL NO. 2 AND
11 [THIS ACT] ARE PASSED AND APPROVED AND HOUSE BILL NO. 2 CONTAINS AN APPROPRIATION OF \$1.85 MILLION TO THE
12 DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES IN EACH YEAR OF THE BIENNIUM BEGINNING JULY 1, 2015, FOR
13 STATE MATCHING FUNDS GRANTED PURSUANT TO 53-21-1203, THEN [SECTION 2 OF THIS ACT] IS VOID.

14 (2) IF BOTH HOUSE BILL NO. 2 AND [THIS ACT] ARE PASSED AND APPROVED AND HOUSE BILL NO. 2 CONTAINS
15 AN APPROPRIATION OF LESS THAN \$1.85 MILLION BUT MORE THAN \$850,000 IN EACH YEAR OF THE BIENNIUM BEGINNING
16 JULY 1, 2015, TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR STATE MATCHING FUNDS GRANTED
17 PURSUANT TO 53-21-1203, THEN THE APPROPRIATION IN HOUSE BILL NO. 2 MUST BE REDUCED TO \$850,000 IN EACH
18 YEAR OF THE BIENNIUM.

19 (3) IF BOTH HOUSE BILL NO. 2 AND [THIS ACT] ARE PASSED AND APPROVED AND HOUSE BILL NO. 2 CONTAINS
20 AN APPROPRIATION OF LESS THAN \$850,000 IN EACH YEAR OF THE BIENNIUM BEGINNING JULY 1, 2015, TO THE
21 DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR STATE MATCHING FUNDS GRANTED PURSUANT TO
22 53-21-1203, THEN THE APPROPRIATION IN HOUSE BILL NO. 2 IS VOID AND THE APPROPRIATION IN [THIS ACT] MUST BE
23 INCREASED TO \$3.7 MILLION FOR THE BIENNIUM.

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25 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2015.

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