

1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
2 THE STATE OF MONTANA:

3 That the Legislative Council be requested to designate an appropriate interim committee or statutory
4 committee, pursuant to section 5-5-217, MCA, to study the procurement practices of the Department of Public
5 Health and Human Services.

6 BE IT FURTHER RESOLVED, that the study:

7 (1) identify the circumstances under which the Department of Public Health and Human Services
8 deviates from the Montana Procurement Act and how frequently those circumstances occur;

9 (2) identify the policies and procedures that the agency uses when determining whether it must follow
10 the standard procurement practices or how it otherwise determines whether to seek bids or proposals for
11 services;

12 (3) review the statutes and administrative rules related to state agency procurement, including the
13 federal laws and regulations governing public assistance programs, the procurement procedures for federally
14 funded programs administered by the Department of Public Health and Human Services, and the state statutes
15 and administrative rules specific to the provision of human services;

16 (4) determine whether practical obstacles, including the emergency needs of clients served by the
17 agency, affect the department's procurement procedures; and

18 (5) obtain an accounting of the amount of money the department has paid to vendors who were
19 selected outside of the standard procurement process.

20 BE IT FURTHER RESOLVED, that the study include input from appropriate stakeholders.

21 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
22 requirements, be concluded prior to September 15, 2022.

23 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
24 comments, or recommendations of the appropriate committee, be reported to the 68th Legislature.

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