



Children, Families, Health, and Human Services Interim Committee

PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

62nd Montana Legislature

SENATE MEMBERS

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MARY CAFERRO--Vice Chair
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ART WITTICH

HOUSE MEMBERS

LIZ BANGERTER
PAT NOONAN
CAROLYN PEASE-LOPEZ
DON ROBERTS

COMMITTEE STAFF

SUE O'CONNELL, Lead Staff
ALEXIS SANDRU, Staff Attorney
FONG HOM, Secretary

MINUTES

May 14, 2012

Room 137, Capitol Building
Helena, Montana

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

COMMITTEE MEMBERS PRESENT

SEN. JASON PRIEST, Chair
SEN. MARY CAFERRO, Vice Chair

SEN. CHRISTINE KAUFMANN
SEN. ART WITTICH

REP. LIZ BANGERTER
REP. PAT NOONAN
REP. CAROLYN PEASE-LOPEZ
REP. DON ROBERTS

STAFF PRESENT

SUE O'CONNELL, Lead Staff
ALEXIS SANDRU, Staff Attorney
FONG HOM, Secretary

Agenda and Visitors' List

Agenda (**Attachment 1**)
Visitors' list (**Attachment 2**)

COMMITTEE ACTION

- The March 19-20, 2012, minutes were approved.
- The committee approved amending LCCF03 and introducing it as a committee bill, taking money out of the TANF ending balance to increase the total award in LCCF03, and to include a sunset clause.
- The Committee approved sending a letter asking the Office of Public Instruction (OPI) to establish a clearinghouse for nutrition education in schools.
- The committee approved LCCF01 and LCCF02 to proceed as committee bills.
- The committee authorized drafting of legislation to create an ombudsman position to review questions related to child abuse and neglect investigations.
- The committee authorized drafting of legislation to require the Child and Family Services Division to obtain national accreditation.

CALL TO ORDER AND ROLL CALL

00:00:13 SEN. PRIEST called the meeting to order at 8:09 a.m. The committee secretary called roll (**Attachment 3**). Minutes from the March 19-20, 2012, meetings were approved.

AGENDA

HJR 8 STUDY: CHILDHOOD HUNGER

00:01:40 Ms. O'Connell discussed LCCF02 -- appropriating funds to encourage participation in the School Breakfast Program (**Exhibit 1**).

00:05:39 Ms. O'Connell discussed LCCF03 -- appropriating funds from the ending fund balance of the Temporary Assistance for Needy Families program (TANF) account for grants to out-of-school food support programs (**Exhibit 2**).

00:07:05 Ms. O'Connell discussed the letter asking OPI to establish a clearinghouse for nutrition education information (**Exhibit 3**).

Public Comment

00:07:56 **Mark Harrison, Director of Central Services, Butte School District No. 1**, commented on the meal program in the Butte schools.

00:12:13 **Kathy Martin, Food Service Director, Corvallis School District**, commented on the students served by the school food program in her area.

00:15:31 **Minkie Medora** commented on LCCF02 and the importance and benefits of a school breakfast program. She urged the committee to support LCCF02.

00:24:10 **Kate Devino, Chief Policy Officer, Montana Food Bank Network**, commented on the BackPack Program.

00:27:40 **Terry Kendrick, Office of Public Instruction**, thanked the committee for its work on the issue of childhood hunger. She said that the Office of Public

Instruction supports the idea of the clearinghouse on nutrition education.

Committee questions - none

SJR 30 STUDY OF CHILDHOOD TRAUMA: DPHHS SYSTEM REVIEW FOR IMPROVED RESPONSE

00:29:09 Casey Barrs, Research Analyst, gave opening remarks and referred the committee to the document "Localized Responses and Oversight Mechanisms" for future reference (**Exhibit 4**).

David Sanders, Executive Vice President, Systems Improvement, Casey Family Programs

Sarah Corbally, Administrator, DPHHS Child and Family Services Division and Professor Ryan Tolleson Knee, Chair of School of Social Work, University of Montana

Lisa Stroh, Ph.D., Superintendent of Schools, Blaine County

• **Case Worker Certification**

00:33:17 **David Sanders, Casey Family Program**, gave a presentation on worker certification (**Exhibit 5**).

00:42:07 **Prof. Ryan Tolleson Knee** discussed the stipend program that was developed for students who are completing a Bachelor's Degree or a Master's Degree in social work. He also discussed the Montana Child Abuse and Neglect curriculum for training current case workers in the Child and Family Services Division.

00:45:42 **Lisa Stroh** discussed the importance of certification and education for case workers.

Committee questions

00:50:29 REP. ROBERTS

00:51:32 Mr. Sanders

00:52:12 SEN. WITTICH

00:52:29 Mr. Sanders

00:53:39 SEN. WITTICH

00:54:10 Mr. Sanders

00:55:13 SEN. WITTICH

00:57:00 Ms. Stroh

00:59:50 SEN. WITTICH

01:01:26 Ms. Corbally

• **Interdisciplinary Approaches**

01:04:14 **David Sanders** gave a presentation on interdisciplinary approaches (see Exhibit 5).

01:11:24 **Sarah Corbally** discussed various interdisciplinary approaches used by the Child

and Family Services Division. The Department has spent a great deal of time working with local advisory councils to assess the needs of communities, identify gaps in resources, and offer services. The agency's goal is to see the councils developed in every county.

01:15:41 **Lisa Stroh** said that there is a need to get a plan together to identify what services are available within each county. She also discussed the problems that she sees in the centralized intake process.

Committee questions

01:22:07 REP. ROBERTS
01:23:13 Ms. Stroh
01:24:08 REP. PEASE-LOPEZ
01:24:56 Ms. Corbally
01:26:42 SEN. KAUFMANN
01:27:12 Ms. Corbally
01:28:39 REP. PEASE-LOPEZ
01:29:23 Ms. Corbally
01:30:31 Ms. Stroh

• **Oversight Mechanisms**

01:31:22 **David Sanders** gave a presentation on oversight mechanisms (see Exhibit 5).

01:39:21 **Sarah Corbally** discussed what the Child and Family Services Division does with its complaint process, the need for a position that would be more of a trained mediator, and the statute dealing with confidentiality.

01:42:33 **Lisa Stroh** discussed the need for a child advocacy office and an ombudsman.

01:44:56 **Rep. Cleve Loney, Great Falls, House District 25**, distributed copies of ombudsmanship laws from Washington and California (**Exhibit 6**) and said that a need exists for a multi-disciplinary team to look into cases.

Committee questions

01:52:25 REP. ROBERTS
01:53:27 Ms. Stroh
01:54:31 SEN. WITTICH
01:55:31 Ms. Corbally
01:57:35 REP. LONEY
01:58:46 SEN. WITTICH
01:59:30 Ms. Corbally
02:00:04 SEN. WITTICH
02:01:06 Ms. Corbally
02:01:55 SEN. CAFERRO
02:03:04 Ms. Corbally
02:04:19 SEN. CAFERRO
02:04:31 Ms. Corbally
02:04:52 SEN. CAFERRO
02:05:17 Ms. Corbally

02:05:22 SEN. KAUFMANN
02:05:42 Mr. Sanders
02:06:01 SEN. KAUFMANN
02:06:21 Mr. Sanders
02:06:47 SEN. KAUFMANN
02:07:10 Ms. Stroh
02:07:46 SEN. CAFERRO
02:08:45 Ms. Stroh
02:10:10 SEN. CAFERRO
02:10:59 Ms. Corbally
02:11:35 REP. NOONAN
02:12:12 Ms. Corbally

- **Review of Child Protection Teams - Casey Barrs, Committee Staff**

02:13:20 Mr. Barrs discussed the Law and Justice Interim Committee proposed committee bill, LC1j10 (**Exhibit 7**). He discussed Rep. Bangerter's request for information on Child Protection Teams (**Exhibit 8**).

Committee questions

02:16:54 SEN. CAFERRO
02:17:10 Mr. Barrs

BREAK -- reconvened at 10:45 a.m.

SJR 30: CASE WORKER CONDITIONS

- **Workload Studies and Trends**

02:36:05 Mr. Barrs provided historical background regarding case worker conditions (**Exhibit 9**).

- **The Case Worker Perspective**

Jason Larson, DPHHS Child Protection Specialist

Jennifer Winkley, DPHHS Child Protection Specialist

Don Kelley, DPHHS Family Group Decision-Making Meeting Coordinator

02:43:16 **Jennifer Winkley** discussed her job as a child protection specialist.

02:52:07 **Jason Larson** discussed his job as a child protection specialist.

03:03:42 **Don Kelley** provided examples of the work done by child protection specialists.

Committee questions

03:18:41 REP. BANGERTER
03:19:17 Ms. Winkley
03:20:16 Mr. Larson
03:21:27 SEN. WITTICH
03:22:57 Mr. Larson

03:25:17 REP. ROBERTS
03:25:45 Mr. Kelley
03:28:27 Ms. Winkley
03:30:18 Mr. Larson

SJR 30: BARRIERS TO EARLY PREVENTION OF CHILDHOOD TRAUMA

03:32:50 Mr. Barrs gave opening remarks on barriers to early prevention of childhood trauma.

Public Comment from providers

03:35:01 **Jamie Palagi, Administrator, Human and Community Service Division, DPHHS**, discussed the initiative to establish community councils across the state (**Exhibit 10**).

03:36:54 **Denise Higgins, Bureau Chief, Maternal and Child Health Services, DPHHS**, provided information about the program "Montana Initiative for the Abatement of Mortality in Infants" (**Exhibit 11**).

03:38:33 **Dorothy Bradshaw, Community Health Programs, Lewis and Clark City County Health Department**, discussed the nurse home visiting program and the Special Supplemental Nutrition for Women, Infants, and Children (WIC) Program. She said that she will provide an overview of their services to Mr. Barrs.

03:42:26 **Barbara Burton, Executive Director, Florence Crittenton Program**, provided written comments on barriers to successful parenting (**Exhibit 12**).

03:46:16 **Melinda Edwards, A.W.A.R.E., Inc.**, provided the committee with feedback on the barriers to early childhood intervention (**Exhibit 13**).

03:49:22 **Chris Volinkaty, Executive Director, Child Development Center, Missoula**, said that the Child Development Center serves seven western Montana counties in early intervention services for the developmentally disabled. She distributed a graph showing the benefits of early intervention efforts (**Exhibit 14**).

03:53:07 **Lora Cowee, Intermountain**, provided written comments on the barriers that exist to prevention and intervention efforts in the early years of life (**Exhibit 15**).

03:55:37 **Patricia Dahl, Director, Head Start, Lewis and Clark, Broadwater and Jefferson Counties**, commented on the Head Start Program.

Committee questions

03:59:32 REP. ROBERTS
04:00:02 Ms. Palagi

Public Comment

- 04:00:47 **Aart Dolman, advocate for children with mental health needs, Great Falls,** discussed several wording issues in LC1j10 regarding dangerous drugs and distribution of drugs.
- 04:05:04 **Dulaney Collins, Bozeman,** discussed the play "Hugs & Kisses" (**Exhibit 16**).
- 04:10:54 **Anita Roessmann, Disability Rights Montana,** commented on child protective services investigations.
- 04:15:54 **Andree Deligdisch** supported adding more child protective workers to the Department of Public Health and Human Services.
- 04:20:39 **Matt Kuntz, Executive Director, NAMI Montana,** commented on the issue of the ombudsman position.
- 04:22:35 **Lora Cowee, Intermountain,** said that the committee could look at true outcomes for the Child and Family Services Division by drafting legislation to require national accreditation.

LUNCH -- reconvened at 1:41 p.m.

MEDICAID MONITORING: PROVIDER RATES

- 05:32:12 Ms. O'Connell discussed revisions to LCCF01 (**Exhibit 17**), a bill to provide payment to Medicaid providers.
- Public Comment**
- 05:35:51 **Dennis Taylor, Montana Children's Initiative,** supported LCCF01.
- 05:37:38 **Lora Cowee, Intermountain,** distributed a letter from Jani McCall of the Yellowstone Boys and Girls Ranch, supporting LCCF01(**Exhibit 18**). Ms. Cowee also provided written comments regarding providing services to rural areas (**Exhibit 19**).
- 05:40:05 **Jean Branscum, Executive Vice President, Montana Medical Association,** thanked the committee for including physicians in LCCF01 and endorsed other allied health professionals getting an increase as well.
- 05:40:42 **Mike Foster, Catholic Hospitals in Montana,** supported LCCF01.
- 05:41:54 **Aimee Grmoljez, Billings Clinic,** supported the changes in LCCF01.
- 05:43:24 **Rose Hughes, Executive Director, Montana Healthcare Association,** supported the changes in LCCF01.

AGENCY OVERSIGHT: DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

Administrative Rule Review - Alexis Sandru

05:45:45 Ms. Sandru gave a report on Administrative Rule Review (**Exhibit 20**).

Department of Public Health and Human Services Update - Anna Whiting Sorrell, Director

05:47:47 Director Whiting Sorrell reported on the following DPHHS activities:

- ▶ Montana's No Kid Hungry Partnership launched in February 2012
- ▶ Money Follows Person Planning Grant
- ▶ The 44th Annual Conference on Aging
- ▶ Immunization program

Committee questions - none

HB 142 REVIEW OF ADVISORY COUNCILS AND REQUIRED REPORTS

05:58:49 Ms. O'Connell gave a presentation on HB 142 Review of Advisory Councils and Agency Reports (**Exhibit 21**).

06:01:09 Ms. O'Connell discussed the DPHHS Reports Required by Statute (**Exhibit 22**).

06:01:20 Ms. O'Connell discussed DPHHS Recommendations on Advisory Councils and Statutory Reports (**Exhibit 23**).

Committee questions - none

Public Comment

06:02:27 **Jim FitzGerald, CEO, Intermountain**, commented on the Commission on Provider Rates and Services.

06:06:02 **Alicia Smith, Bozeman, member of NAMI Montana**, commented on Service Area Authorities.

06:09:51 **Matt Kuntz, Executive Director, NAMI Montana**, commented on creating a new behavioral health planning and advisory council. He would like the word "behavioral" changed to "mental health".

06:10:46 **Anita Roessmann, Disability Rights Montana**, commented on the Service Area Authorities.

Committee questions

06:11:56 SEN. WITTICH
06:13:52 Director Whiting Sorrell
06:14:44 SEN. WITTICH
06:15:29 Director Whiting Sorrell
06:17:32 SEN. WITTICH
06:18:16 Director Whiting Sorrell
06:20:20 SEN. WITTICH

06:21:16 Ms. O'Connell
06:22:38 SEN. WITTICH
06:23:17 Ms. O'Connell
06:23:52 Ms. Sandru
06:24:26 Ms. O'Connell
06:25:39 SEN. KAUFMANN
06:27:23 REP. NOONAN
06:27:42 SEN. KAUFMANN
06:29:14 REP. NOONAN
06:29:26 SEN. KAUFMANN

SB 423 MONITORING: MONTANA MARIJUANA ACT

06:30:43 Ms. O'Connell discussed recent developments related to the Montana Marijuana Act (**Exhibit 24**) and Registry Statistics as of April 30, 2012 (**Exhibit 25**).

PUBLIC COMMENT on any item within committee's jurisdiction

06:37:18 **Bernadette Franks-Ongoy, Executive Director, Disability Rights Montana**, commented on the Montana Department of Justice Investigative Report on assaults at the Montana Developmental Center in Boulder (**Exhibit 26**).

Committee questions of Ms. Franks-Ongoy

06:41:56 SEN. CAFERRO
06:42:54 Ms. Franks-Ongoy
06:48:35 SEN. WITTICH
06:49:09 Ms. Franks-Ongoy

06:50:37 SEN. WITTICH asked that the Department give an update at the next meeting on MDC and what DPHHS has done to address issues in the investigative report.

06:51:13 SEN. PRIEST asked that staff draft a letter to the Department addressing Sen. Wittich's concerns.

BREAK - reconvened at 3:20 p.m.

COMMITTEE WORK SESSION

HJR 8 STUDY OF CHILDHOOD HUNGER

- **LCCF03, appropriating TANF money for grants to programs that provide out-of-school food support activities**

07:13:22 SEN. CAFERRO discussed a possible change in LCCF03 and distributed a copy of the TANF budget (**Exhibit 27**) to show that the program had enough money to provide an increase in funding LCCF03.

Motion by Sen. Caferro

07:16:07 SEN. CAFERRO moved to take money out of the TANF ending balance to increase the total appropriation to \$250,000 per year in LCCF03.

Committee Discussion

07:18:04 REP. BANGERTER
07:18:20 SEN. CAFERRO
07:18:27 SEN. WITTICH
07:20:53 SEN. CAFERRO
07:22:42 SEN. PRIEST
07:24:56 REP. ROBERTS
07:25:32 SEN. WITTICH
07:27:03 SEN. CAFERRO
07:27:10 SEN. WITTICH
07:27:22 SEN. CAFERRO
07:27:34 SEN. WITTICH
07:29:23 SEN. CAFERRO
07:30:17 SEN. PRIEST
07:30:29 SEN. CAFERRO

Substitute Motion

07:32:18 SEN. KAUFMANN made a substitute motion to increase the total award to \$500,000 over the biennium and the individual grant awards to \$25,000.

Discussion on Substitute Motion

07:33:58 REP. ROBERTS
07:35:49 SEN. CAFERRO

Amended Motion

07:36:59 SEN. KAUFMANN moved to include a sunset clause in her substitute motion. The motion passed on a voice vote with Rep. Roberts and Sen. Wittich voting no.

Committee discussion

07:37:57 SEN. PRIEST
07:38:37 SEN. CAFERRO
07:38:55 SEN. PRIEST
07:39:26 SEN. WITTICH
07:40:53 SEN. KAUFMANN
07:42:18 REP. PEASE-LOPEZ
07:43:35 REP. NOONAN

Committee vote on LCCF03 as amended

07:45:41 Sen. Caferro's motion to approve LCCF03 as amended passed 6-2, on a roll call vote with Sen. Wittich and Rep. Roberts voting no (**Attachment 4**).

• **Clearinghouse letter to Office of Public Instruction**

07:48:22 SEN. CAFERRO
07:48:32 Ms. O'Connell

Motion on Clearinghouse Letter

07:48:50 SEN. CAFERRO moved to send the letter to the Office of Public Instruction asking the office to establish a clearinghouse for nutrition education. The motion passed 7-1, on a roll call vote with Sen. Priest voting no (**Attachment 5**).

- **LCCF 02, encourage participation in the school breakfast program**

07:51:09 SEN. KAUFMANN

07:51:46 Ms. O'Connell

Motion by Sen. Kaufmann

07:52:10 SEN. KAUFMANN moved to proceed with LCCF 02 as a committee bill.

Discussion

07:52:55 SEN. WITTICH

07:55:09 REP. ROBERTS

07:56:51 SEN. KAUFMANN

Committee Vote on Sen. Kaufmann's motion

07:58:07 SEN. KAUFMANN's motion passed 6-2, on a roll call vote with Sen. Wittich and Sen. Priest voting no (**Attachment 6**).

SJR 30 STUDY OF CHILDHOOD TRAUMA

- **Discussion on ombudsman position**

07:58:49 REP. ROBERTS

07:59:52 SEN. CAFERRO

08:00:08 REP. ROBERTS

08:00:34 REP. NOONAN

08:00:48 REP. ROBERTS

08:01:26 SEN. WITTICH

08:04:44 SEN. PRIEST

08:06:48 SEN. KAUFMANN

08:08:37 SEN. CAFERRO

08:09:34 REP. PEASE-LOPEZ

Motion by Rep. Roberts

08:11:35 REP. ROBERTS moved to authorize the drafting of legislation to create an ombudsman position for child abuse and neglect investigations.

Discussion

08:13:14 Mr. Barrs

08:14:30 REP. ROBERTS

08:15:35 SEN. PRIEST

Committee vote on the motion

08:15:44 The motion passed 6-2, on a roll call vote with Sen. Wittich and Sen. Priest voting no (**Attachment 7**).

Motion by Sen. Kaufmann

08:16:55 SEN. KAUFMANN moved to authorize the drafting of legislation to require national accreditation for the Child and Family Services Division.

Discussion

08:17:41 Mr. Barrs
08:17:55 SEN. KAUFMANN

Committee vote on Sen. Kaufmann's motion

08:19:16 The motion passed 6-2, on a roll call vote with Sen. Wittich and Sen. Priest voting no **(Attachment 8)**.

• **Discussion on the issue of confidentiality of child abuse and neglect investigations**

08:19:31 SEN. WITTICH
08:22:01 REP. PEASE-LOPEZ
08:22:43 SEN. WITTICH
08:23:47 SEN. KAUFMANN
08:24:50 SEN. WITTICH
08:25:20 REP. ROBERTS
08:26:24 SEN. PRIEST
08:27:07 REP. ROBERTS

08:27:27 SEN. KAUFMANN asked the staff if they need more direction on this.

08:27:49 SEN. PRIEST
08:28:00 SEN. KAUFMANN
08:31:25 REP. PEASE-LOPEZ
08:32:14 SEN. KAUFMANN
08:32:48 SEN. PRIEST
08:33:38 REP. PEASE-LOPEZ
08:34:23 SEN. KAUFMANN
08:34:53 REP. ROBERTS
08:35:11 REP. PEASE-LOPEZ
08:36:14 SEN. PRIEST
08:37:05 SEN. CAFERRO

Motion on LCCF 01

08:37:11 REP ROBERTS moved to approve LCCF01 as a committee bill. The motion passed 6-2, on a roll call vote with Sen. Wittich and Sen. Priest voting no **(Attachment 9)**.

• **Discussion on Montana Developmental Center**

08:39:03 SEN. WITTICH discussed the situation at the Montana Developmental Center that was presented by Disability Rights Montana. He requested that the committee hear further reports on what went on at MDC.

08:40:32 REP. ROBERTS
08:42:06 SEN. CAFERRO

NEXT MEETING DATES

- 08:43:36 The next meeting will be on June 25, and the last meeting will be on August 20 and 21.
- 08:44:08 REP NOONAN said that the committee might be interested in looking at the Board of Visitors Report.
- 08:44:24 Ms. O'Connell said that she will put together information about recent reports on the facility and include that in the next mailing.

ADJOURNMENT

- 08:43:55 With no further business before the committee, SEN. PRIEST adjourned the meeting at 4:54 p.m.

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