

House Bill 142: Scope of the Advisory Council Review

Prepared for the Children, Families, Health, and Human Services Interim Committee

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Background

House Bill 142, approved by the 2011 Legislature, requires interim committees to review advisory councils and agency reports that are required by state law. The committees are to determine whether the councils and reports should be retained or eliminated.

The Children, Families, Health, and Human Services Interim Committee must review Department of Public Health and Human Services (DPHHS) advisory councils and reports.

This briefing paper provides information on the statutory advisory councils and on other committees or groups created by law that serve in an advisory role to the department. The paper is designed to help the committee determine the scope of the HB 142 review it will undertake this interim.

Advisory Councils Subject to Review

State law creates five specific advisory councils related to DPHHS, as follows:

- Advisory Council on Aging, which assists the governor's coordinator of aging and DPHHS in planning, coordinating, and operating state programs that affect Montana's senior citizens. (2-15-2206 and 2-15-232)
- Traumatic Brain Injury Advisory Council, which advises DPHHS on ways to develop and improve services for people with traumatic brain injuries and to encourage research, public awareness, and education activities. (2-15-2217)
- Advisory Council on Food Safety, which assists DPHHS in developing administrative rules or legislation related to retail food establishments. (50-50-103)
- Mental Health Oversight Advisory Council, which provides advice and recommendations for the publicly funded mental health system. (53-21-702)
- Medicaid Managed Care Advisory Council, which reviews requests for proposals and contracts related to Medicaid managed care. (53-6-710)

Other Advisory Entities

Following is a list of groups created by law that are not specifically called "advisory councils" but do serve in an advisory capacity to DPHHS:

- System of Care Planning Committee, which promotes ways to coordinate services for high-risk children with multi-agency service needs. (52-2-303 and 52-2-304)
- mental health Local Advisory Councils, which report to and meet on a regular basis with the Mental Health Oversight Advisory Council. (53-21-702)
- Medicaid advisory councils, which review proposals for Section 1115 Medicaid waivers

before the proposals are submitted to the federal government. (53-2-215(18))

- Community Health Center Advisory Group, which oversees the grant process for creating or expanding health care facilities that will seek approval to be Federally Qualified Health Centers. (50-4-810 and 50-4-811)
- Emergency Medical Services Advisory Committee, which may assist with EMS licensing issues, complaints, or other matters. (50-6-324).
- Trauma Care Committee, which provides recommendations about trauma care, the statewide trauma care system, hospital data collection systems, and quality improvement systems for trauma care. (2-15-2216 and 50-6-404)
- regional Trauma Care Advisory Committees, which establish standards, policies, and procedures for the regional trauma care system, conduct quality improvement activities, and advise the Trauma Care Committee. (50-6-411 and 50-6-412)
- Children's Trust Fund Board, which oversees the use of the money in the Children's Trust Fund. (2-15-2214 and Title 52, chapter 7, part 1)
- Montana 2-1-1 Community Coalition, which advises DPHHS on developing a strategic plan for creating, operating, supervising, and evaluating a 2-1-1 calling system that provides community information and referral services statewide. (53-1-704)
- Committee on Montana Telecommunications Access Services, which works on issues related to the program that provides special telecommunications equipment and services to people with disabilities. (2-15-2212 and Title 53, chapter 19, part 3)
- Commission on Provider Rates and Services, which gives DPHHS information about services provided under the Medicaid program and rates paid to Medicaid providers. (Title 53, chapter 10, part 2)
- Service Area Authorities, which work with DPHHS to plan and oversee mental health services in their respective geographic areas. (Title 53, chapter 21, part 10)

Options for Committee Consideration

The committee is scheduled to take up the HB 142 in March 2012. At that time, DPHHS representatives will be asked to report on both the advisory councils and the required reports. The agenda also will allow for a public comment period on the topic.

Before March, the committee should decide whether to:

- limit its review to the five specifically named advisory councils found in state law; or
- expand the review to consider other entities that serve in an advisory capacity.