

## HOUSE JOINT RESOLUTION NO. 13

INTRODUCED BY HURWITZ, BUZZAS, GRIMES, KEENAN, A. OLSON

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES CONDUCT A STUDY REGARDING THE MONTANA MEDICAID PROGRAM AND HEALTH PROGRAMS ADMINISTERED BY THE DEPARTMENT AND PROVIDE A REPORT TO THE 59TH LEGISLATURE, OUTLINING OPTIONS THAT MAY BE UNDERTAKEN TO REDESIGN THE MONTANA MEDICAID PROGRAM HEALTH PROGRAMS ADMINISTERED BY THE DEPARTMENT.

WHEREAS, rising health care costs, expanded use of services, and increased enrollment IN THE MONTANA MEDICAID PROGRAM, THE MENTAL HEALTH SERVICES PLAN, THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM, AND OTHER HEALTH PROGRAMS ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES have resulted in escalating costs for the Montana Medicaid program TO THE STATE OF MONTANA; and

WHEREAS, expenditures in the Montana Medicaid program for the 2002-03 biennium are projected to be \$1,071,000,000, which includes \$267 million in general fund money and \$804 million in federal funds; and

WHEREAS, EXPENDITURES IN THE MENTAL HEALTH SERVICES PLAN FOR THE 2002-03 BIENNIUM ARE PROJECTED TO BE \$20,507,133 IN STATE GENERAL FUND MONEY; AND

WHEREAS, EXPENDITURES IN THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM FOR THE 2002-03 BIENNIUM ARE PROJECTED TO BE \$28,967,574, WHICH INCLUDES \$5,472,768 IN STATE GENERAL FUND MONEY, \$882 IN STATE SPECIAL REVENUE FUNDS, AND \$23,493,934 IN FEDERAL SPECIAL REVENUE FUNDS; AND

WHEREAS, expenditures in the Montana Medicaid program, THE MENTAL HEALTH SERVICES PLAN, AND THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM constitute a significant portion of the state general fund; and

WHEREAS, federal regulations limit the discretion that states have in the administration of the Medicaid program; and

WHEREAS, federal regulations mandate that certain health care services be provided and that certain groups be automatically eligible for Medicaid; and

WHEREAS, federal regulations do permit the Secretary of the U.S. Department of Health and Human Services to grant waivers of certain federal requirements; and

WHEREAS, FEDERAL REGULATIONS AND THE CENTERS FOR MEDICARE AND MEDICAID SERVICES REQUIRE THREE FORMAL CONSULTATIONS WITH TRIBAL GOVERNMENTS REGARDING ANY MAJOR CHANGES WITHIN THE EXISTING

MEDICAID PROGRAM AND RELATED PROGRAMS; AND

WHEREAS, THE STATE OF MONTANA RECOGNIZES THE SEVEN FEDERALLY RECOGNIZED INDIAN TRIBES IN MONTANA, AND THE LEGISLATURE DIRECTS THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO RECOGNIZE AND INCLUDE THE SEVEN FEDERALLY RECOGNIZED TRIBAL GOVERNMENTS IN MONTANA WITHIN ALL ASPECTS OF A DEPARTMENT STUDY; AND

WHEREAS, UPON PARTICIPATION OF THE SEVEN FEDERALLY RECOGNIZED INDIAN TRIBES IN MONTANA, THE LEGISLATURE DIRECTS THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO INCLUDE THE SEVEN TRIBAL GOVERNMENTS IN ANY ASPECT OF THE STUDY AND INCLUDE THE RECOMMENDATIONS AND PARTICIPATION IN THE REPORT TO THE LEGISLATURE; AND

WHEREAS, it is essential that the Legislature as a whole be informed about the alternative approaches that may be undertaken and that the Legislature set the policy regarding the design of the Montana Medicaid program, THE MENTAL HEALTH SERVICES PLAN, THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM, AND OTHER HEALTH PROGRAMS ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES.

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

That the Department of Public Health and Human Services direct sufficient staff services to undertake a study that will examine the various options available for ~~the~~ redesigning of the Montana Medicaid program, THE MENTAL HEALTH SERVICES PLAN, THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM, AND OTHER HEALTH PROGRAMS ADMINISTERED BY THE DEPARTMENT.

BE IT FURTHER RESOLVED, that the Department of Public Health and Human Services report on a regular basis to the Children, Families, Health, and Human Services Interim Committee and to the Legislative Finance Committee regarding the progress of the study.

BE IT FURTHER RESOLVED, that the Department of Public Health and Human Services prepare a report to the 59th Legislature, as provided in section 5-11-210, MCA, detailing various options available for the redesign of the Montana Medicaid program, ~~including~~ THE MENTAL HEALTH SERVICES PLAN, THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM, AND OTHER HEALTH PROGRAMS ADMINISTERED BY THE DEPARTMENT. THIS REPORT SHOULD INCLUDE the COSTS, BOTH economic and social costs, associated with various options FOR REDESIGN OF THESE PROGRAMS AND A COST ANALYSIS FOR URBAN INDIAN HEALTH CLINICS AND TRIBAL-BASED HEALTH CLINICS.

BE IT FURTHER RESOLVED, THAT THE SECRETARY OF STATE SEND A COPY OF THIS RESOLUTION TO EACH TRIBAL GOVERNMENT LOCATED ON THE SEVEN MONTANA RESERVATIONS AND TO THE LITTLE SHELL BAND OF CHIPPEWA.

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