

HOUSE JOINT RESOLUTION NO. 39

INTRODUCED BY P. NOONAN, FRENCH, MCCLAFFERTY, SESSO, JOPEK, A. NOONAN

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT AN INTERIM COMMITTEE STUDY THE DEVELOPMENT OF ADDITIONAL COMMUNITY SERVICES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND CO-OCCURRING MENTAL ILLNESS OR CERTAIN BEHAVIORS.

WHEREAS, the Montana Legislature has passed statutes with the purpose, as stated in section 53-20-101, MCA, of providing developmentally disabled individuals with services that whenever possible will help them live in their communities in the least restrictive environment possible; and

WHEREAS, individuals with developmental disabilities who have mental illnesses also need to be served with care and compassion in the least restrictive environment that serves the individuals and the community; and

WHEREAS, studies in previous legislative interims have addressed issues regarding services for mentally ill Montanans, but have not addressed the specific issue of serving persons with developmental disabilities who also have mental illness; and

WHEREAS, developmentally disabled people who also are mentally ill may exhibit challenging or aggressive behaviors that put them at risk of involvement in the criminal justice system, where they are unlikely to receive the treatment and habilitation services they need and where they are at risk of victimization by other suspected and convicted offenders; and

WHEREAS, the Montana Legislature has an interest in reviewing community services for people with developmental disabilities who have mental illness or challenging or aggressive behaviors and in providing a forum for stakeholders to discuss options that may provide both urban and rural communities with flexibility in providing services, based on their varying levels of resources.

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

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to study and monitor the development of community services for developmentally disabled children and adults with mental illness across the state and to respond to any underlying issues that have limited the development of community services.

BE IT FURTHER RESOLVED, that the committee include in its study of community services the following topics:

(1) the ways in which community services should be planned for, prioritized, developed, and provided at the community level;

(2) the types of community services that should be provided and the populations they could appropriately serve;

(3) ways to encourage cooperation between and within communities in the planning, development, and provision of community services;

(4) funding and cost considerations in the provision of community services;

(5) the ways in which individuals may be identified and served in the community at the youngest possible age; and

(6) any other topics identified by the committee.

BE IT FURTHER RESOLVED, that the study engage the public and relevant stakeholders, including the Department of Public Health and Human Services and Department of Corrections, to identify any barriers to providing services and to develop findings and recommendations for the next legislative session.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2010.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 62nd Legislature.

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