

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



MIKE COONEY
LT. GOVERNOR

May 7, 2019

The Honorable Corey Stapleton
Secretary of State
State Capitol
Helena, MT 59601

Dear Secretary Stapleton:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto House Bill 473 (HB 473), "AN ACT CLARIFYING THAT THE QUALITY ASSURANCE DIVISION OF THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES IS RESPONSIBLE FOR INVESTIGATING REPORTS OF ELDER ABUSE IN LONG-TERM CARE FACILITIES; AMENDING SECTIONS 50-5-1104 AND 52-3-811, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

House Bill 473 moves responsibility for handling reports of elder abuse from the Adult Protective Services unit at DPHHS to the facility licensing division known as the Quality Assurance Division. The issue of elder abuse is not merely one of licensing, which addresses building features, safety equipment, and staffing levels. Montana's Adult Protective Services Bureau is charged with responding to instances of abuse, neglect, and exploitation in long-term care facilities. The Bureau helps end abuse by matching the needs of an individual with community partners in their area, including mental health providers, law enforcement, courts, community groups, and members of the public. House Bill 473 would remove a critical protection for older adults living in nursing facilities and therefore has no place in Montana law.

For these reasons, I veto HB 473.

Sincerely,

A blue ink signature of Steve Bullock, consisting of a stylized 'S' and 'B' followed by a horizontal line.

STEVE BULLOCK
Governor

cc: Legislative Services Division
Greg Hertz, Speaker of the House
Scott Sales, President of the Senate