

1 HOUSE BILL NO. 83

2 INTRODUCED BY M. CAFERRO

3 BY REQUEST OF THE CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE MONTANA HELP ACT OVERSIGHT
6 COMMITTEE; AMENDING SECTIONS 39-12-103 AND 53-6-1306, MCA; REPEALING SECTIONS 53-6-1316
7 AND 53-6-1317, MCA; PROVIDING FOR CONTINGENT VOIDNESS; AND PROVIDING AN IMMEDIATE
8 EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 39-12-103, MCA, is amended to read:

13 **"39-12-103. (Temporary) Montana HELP Act workforce development -- participation--report. (1)**

14 The department shall provide individuals receiving assistance for health care services pursuant to Title 53,
15 chapter 6, part 13, with the option of participating in an employment or reemployment assessment and in the
16 workforce development program provided for in 39-12-101. The assessment must identify any probable barriers
17 to employment that exist for the member.

18 (2) (a) The department shall notify the department of public health and human services when a
19 participant has received all services and assistance under subsection (1) that can reasonably be provided to the
20 individual.

21 (b) The department is not required to provide further services under this section after it has provided the
22 notification provided for in subsection (2)(a).

23 (c) A participant who is no longer receiving services under this section does not meet the criteria of
24 53-6-1307(6)(c) for the exemption granted under 53-6-1307(6).

25 ~~(3) The department shall report the following information to the oversight committee provided for in~~
26 ~~53-6-1316:~~

27 ~~— (a) the activities undertaken to establish a workforce development program for program participants; and~~

28 ~~— (b) the number of participants in the workforce development program and the number of participants who~~
29 ~~have obtained employment or higher-paying employment.~~

30 ~~(4)(3)~~ To the extent possible, the department of public health and human services shall offset the cost

1 of workforce development activities provided under this section by using temporary assistance for needy families
2 reserve funds.

3 ~~(5)(4)~~ The department shall reduce fraud, waste, and abuse in determining and reviewing eligibility for
4 unemployment insurance benefits by enhancing technology system support to provide knowledge-based
5 authentication for verifying the identity and employment status of individuals seeking benefits, including the use
6 of public records to confirm identity and to flag changes in demographics. ~~(Terminates June 30, 2019--sec. 28,
7 Ch. 368, L. 2015.)"~~

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9 **Section 2.** Section 53-6-1306, MCA, is amended to read:

10 **"53-6-1306. ~~(Temporary) Copayments -- exemptions--report.~~** (1) A program participant shall make
11 copayments to health care providers for health care services received pursuant to this part.

12 (2) Except as provided in subsection (3), the department shall adopt a copayment schedule that reflects
13 the maximum copayment amount allowed under federal law. The total amount of copayments collected under
14 this section must be capped at the maximum amount allowed by federal law and regulations.

15 (3) The department may not require a copayment for:

16 (a) preventive health care services;

17 (b) generic pharmaceutical drugs;

18 (c) immunizations provided according to a schedule established by the department that reflects
19 guidelines issued by the centers for disease control and prevention; or

20 (d) medically necessary health screenings ordered by a health care provider.

21 ~~—(4) Each health care provider participating in the third-party arrangement shall report the following
22 information annually to the oversight committee on the Montana Health and Economic Livelihood Partnership Act:~~

23 ~~—(a) the total amount of copayments that the provider was unable to collect from participants; and~~

24 ~~—(b) the efforts the health care provider made to collect the copayments. (Terminates June 30, 2019--sec.
25 28, Ch. 368, L. 2015.)"~~

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27 **NEW SECTION. Section 3. Repealer.** The following sections of the Montana Code Annotated are
28 repealed:

29 53-6-1316. Montana HELP Act oversight committee -- membership.

30 53-6-1317. Duties of Montana HELP Act oversight committee -- reports.

