

HOUSE BILL NO. 680

INTRODUCED BY T. MOORE, G. PIERSON

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO TARGETED CASE MANAGEMENT SERVICES; ESTABLISHING A CASELOAD CAP ON CONTRACTED TARGETED CASE MANAGEMENT SERVICES FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES; APPROPRIATING MONEY FOR MEETING THE CASELOAD REQUIREMENTS; AMENDING SECTIONS 53-20-202 AND 53-20-205, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 53-20-202, MCA, is amended to read:

"53-20-202. Definitions. As used in this part, the following definitions apply:

(1) "Comprehensive developmental disability system" means a system of services, including but not limited to the following basic services, with the intention of providing alternatives to institutionalization:

- (a) evaluation services;
- (b) diagnostic services;
- (c) treatment services;
- (d) day-care services;
- (e) training services;
- (f) education services;
- (g) employment services;
- (h) recreation services;
- (i) personal-care services;
- (j) domiciliary-care services;
- (k) special living arrangements services;
- (l) counseling services;
- (m) information and referral services;
- (n) follow-along services;
- (o) protective and other social and sociolegal services, including case management services as defined

1 in 42 CFR 440.169; and

2 (p) transportation services.

3 (2) "Department" means the department of public health and human services.

4 (3) "Developmental disabilities" means disabilities attributable to intellectual disability, cerebral palsy,
5 epilepsy, autism, or any other neurologically disabling condition closely related to intellectual disability and
6 requiring treatment similar to that required by intellectually disabled individuals if the disability originated before
7 the person attained age 18, has continued or can be expected to continue indefinitely, and results in the person
8 having a substantial disability.

9 (4) "Developmental disabilities facility" means any service or group of services offering care to persons
10 with developmental disabilities on an inpatient, outpatient, residential, clinical, or other programmatic basis.

11 (5) "Legal resident" means a person who maintains Montana as the person's principal establishment,
12 home of record, or permanent home and where, whenever absent due to military obligation, the person intends
13 to return.

14 (6) "Military dependent" means a child of a military service member.

15 (7) "Military service" means service in the armed forces or armed forces reserves or membership in the
16 Montana national guard.

17 (8) "Military service member" means a person who is currently in military service or who has separated
18 from military service in the previous 18 months either through retirement or military separation."

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20 **Section 2.** Section 53-20-205, MCA, is amended to read:

21 **"53-20-205. Community services.** (1) The department may establish and administer community
22 comprehensive services, programs, clinics, or other facilities throughout the state for the purpose of aiding in the
23 prevention, diagnosis, amelioration, or treatment of developmental disabilities. Programs, clinics, or other services
24 may be provided directly by state agencies or indirectly through contract or cooperative arrangements with other
25 agencies of government, regional or local, private or public agencies, private professional persons, or accredited
26 health or long-term care facilities.

27 (2) (a) The department may contract for programs for developmental disabilities services. Contracts
28 entered into by the department must contain specific conditions for performance by the contractor. The
29 department shall set minimum standards for programs and establish appropriate qualifications for persons
30 employed in the programs.

