

## HOUSE BILL NO. 614

INTRODUCED BY M. CAFERRO

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE WORKFORCE DEVELOPMENT PROVISIONS OF THE HEALTH AND ECONOMIC LIVELIHOOD PARTNERSHIP ACT; ESTABLISHING ALLOWABLE USES OF WORKFORCE DEVELOPMENT FUNDING; REQUIRING CONTRACTING FOR TRAINING AND EDUCATION PROGRAMS; EXTENDING RULEMAKING AUTHORITY; AMENDING SECTIONS 39-12-103, 39-12-107, AND 53-6-1302, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

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

**"39-12-103. (Temporary) Montana HELP Act workforce development -- participation -- providers -- allowable activities -- report.** (1) The department shall provide individuals receiving assistance for health care services pursuant to Title 53, chapter 6, part 13, with the option of ~~participating in an employment or reemployment assessment and in the workforce development program provided for in 39-12-101.~~ The assessment must identify any probable barriers to employment that exist for the member taking part in a workforce development program to allow the participant to increase the participant's earning capacity and economic stability.

(2) The department shall: ~~contact each program participant subject to the community engagement requirements of 53-6-1308 and assist the participant with completion of an employment or reemployment assessment. Based on the results of the assessment, the department shall identify services to help the individual address barriers to employment~~

(A) ASSIST PROGRAM PARTICIPANTS WITH COMPLETION OF AN EMPLOYMENT OR REEMPLOYMENT ASSESSMENT; AND

(B) contract with ONE OR MORE private, nonprofit OR FOR-PROFIT entities to provide workforce development services. The services must emphasize training in high-demand occupations, particularly in the health care field AND IN SHORT-TERM CERTIFICATION PROGRAMS FOR ENTRY-LEVEL CYBERSECURITY ANALYSTS.

1           (3) Allowable workforce development services include:

2           (a) education and training; and

3           (b) supportive services that assist a program participant with the items or services necessary to  
 4 participate in the workforce, including but not limited to supportive services involving clothing, transportation,  
 5 and equipment needed to obtain or maintain employment.

6           (4) Entities contracting to provide workforce development services shall report quarterly to the  
 7 department on the activities provided. At a minimum, the entities shall report on:

8           (a) the number of clients enrolled in program activities and co-enrolled in other workforce programs;

9           (b) the types of services provided;

10          (c) the number of clients who attained a credential or gained a measurable skill;

11          (d) the number of clients who exited the program;

12          (e) the number of clients who exited the program to employment;

13          (f) the number of clients who continued enrollment in the program;

14          (g) the amount and type of outreach the entity has done to recruit program participants; and

15          (h) the amount of money spent directly on participants.

16          ~~(3)~~(5) (a) The department shall notify the department of public health and human services when a  
 17 participant has received all services and assistance under subsection (1) that can reasonably be provided to  
 18 the individual.

19          (b) The department is not required to provide further services under this section after it has provided  
 20 the notification provided for in subsection ~~(3)(a)~~ (5)(a).

21          (c) A participant who is no longer receiving services under this section does not meet the criteria of  
 22 53-6-1307(6)(c) for the exemption granted under 53-6-1307(6).

23          ~~(4)(6)~~ (6) ~~[The The~~ department shall report the following information to the] legislative finance committee  
 24 and the children, families, health, and human services interim committee:

25          (a) ~~the the~~ activities undertaken to ~~establish~~ establish the employer grant program provided for in 39-  
 26 12-106;

27          (b) the number of employers receiving grant awards and the number and types of activities, training,  
 28 or jobs the employers provided; and

1 (c) the services provided and the total cost of providing workforce development services under this  
2 chapter, including related administrative costs.

3 ~~(5)~~(7) To the extent possible, the department of public health and human services shall offset the cost  
4 of workforce development activities provided under this section by using temporary assistance for needy  
5 families reserve funds.

6 ~~(6)~~ (8) The department shall reduce fraud, waste, and abuse in determining and reviewing eligibility  
7 for unemployment insurance benefits by enhancing technology system support to provide knowledge-based  
8 authentication for verifying the identity and employment status of individuals seeking benefits, including the use  
9 of public records to confirm identity and to flag changes in demographics. (Terminates June 30, 2025--secs. 38,  
10 48, Ch. 415, L. 2019.)"

11

12 **Section 2.** Section 39-12-107, MCA, is amended to read:

13 **"39-12-107. (Temporary) Rulemaking authority.** (1) The department may adopt rules to carry out  
14 the purposes of this chapter and may coordinate as necessary with the department of public health and human  
15 services in adoption of the rules.

16 (2) The rules must allow for flexibility in the scope of services allowed under the program in order to  
17 permit a program participant to obtain the education, training, or supportive services needed to improve the  
18 participant's employment situation. The department shall consult with the department of public health and  
19 human services to determine the supportive services allowed under the program. (Terminates June 30, 2025--  
20 sec. 38, Ch. 415, L. 2019.)"

21

22 **Section 3.** Section 53-6-1302, MCA, is amended to read:

23 **"53-6-1302. (Temporary) Montana HELP Act program -- legislative findings and purpose.** (1)

24 There is a Montana Health and Economic Livelihood Partnership Act program established through a  
25 collaborative effort of the department of public health and human services and the department of labor and  
26 industry to:

27 (a) provide coverage of health care services for low-income Montanans;

28 (b) improve the readiness of program participants to enter the workforce or obtain better-paying jobs;

1 and

2 (c) reduce the dependence of Montanans on public assistance programs.

3 (2) The legislature finds that improving the delivery of health care services to Montanans requires  
4 state government, health care providers, patient advocates, and other parties interested in high-quality,  
5 affordable health care to collaborate in order to:

6 (a) increase the availability of high-quality health care to Montanans;

7 (b) provide greater value for the tax dollars spent on the Montana medicaid program;

8 (c) reduce health care costs;

9 (d) provide incentives that encourage Montanans to take greater responsibility for their personal  
10 health;

11 (e) boost Montana's economy by reducing the costs of uncompensated care; and

12 (f) reduce or minimize the shifting of payment for unreimbursed health care costs to patients with  
13 health insurance.

14 (3) The legislature further finds that providing greater value for the dollars spent on the medicaid  
15 program requires considering options for delivering services in a more efficient and cost-effective manner,  
16 including but not limited to:

17 (a) offering incentives to encourage health care providers to achieve measurable performance  
18 outcomes;

19 (b) improving the coordination of care among health care providers who participate in the medicaid  
20 program;

21 (c) reducing preventable hospital readmissions; and

22 (d) exploring methods of medicaid payment that promote quality of care and efficiencies.

23 (4) The legislature further finds that ~~assessing workforce readiness, providing necessary job training,~~  
24 ~~or skill development, or supportive services,~~ and establishing community engagement requirements for  
25 individuals who need assistance with health care costs could help those individuals obtain employment that has  
26 health care coverage benefits or that would allow them to purchase their own health insurance coverage.

27 (5) The legislature further finds that:

28 (a) it is important to implement additional fraud, waste, and abuse safeguards to protect and preserve

1 the integrity of the medicaid program and the unemployment insurance program for individuals who qualify for  
2 the programs; and

3 (b) state policymakers have an interest in testing the effectiveness of wellness incentives in order to  
4 collect and analyze information about the correlation between wellness incentives and health status.

5 (6) The purposes of the act are to:

6 (a) modify and enhance Montana's health care delivery system to provide access to high-quality,  
7 affordable health care for all Montana citizens; and

8 (b) provide low-income Montanans with opportunities to improve their readiness for work or to obtain  
9 higher-paying jobs.

10 (7) The department of labor and industry and the department of public health and human services  
11 shall maximize the use of existing resources in administering the program. (Terminates June 30, 2025--secs.  
12 38, 48, Ch. 415, L. 2019.)"

13  
14 NEW SECTION. SECTION 4. DIRECTION TO DEPARTMENT OF LABOR AND INDUSTRY. THE LEGISLATURE  
15 DIRECTS THE DEPARTMENT OF LABOR AND INDUSTRY TO USE FUNDS APPROPRIATED FOR THE WORKFORCE  
16 DEVELOPMENT PROGRAM PROVIDED FOR IN TITLE 39, CHAPTER 12, TO CONTRACT WITH PRIVATE ENTITIES AS PROVIDED  
17 IN 39-12-103.

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19 NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 2021.

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