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SENATE BILL NO. 282

INTRODUCED BY D. LENZ

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO PLANNING AND SERVICE AREAS FOR SERVICES TO OLDER MONTANANS; ESTABLISHING A TASK FORCE TO EXAMINE PLANNING AND SERVICE AREAS; PROVIDING FOR TASK FORCE MEMBERSHIP AND DUTIES; REQUIRING REVIEW AND POSSIBLE REDESIGNATION OF PLANNING AND SERVICE AREAS BY JULY 1, 2027; ESTABLISHING REPORTING REQUIREMENTS; PROVIDING AN APPROPRIATION; AMENDING SECTION 52-3-405, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

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

NEW SECTION. **Section 1. Task force on planning and service areas.** (1) There is a task force on

planning and service areas to evaluate the current designated planning and service areas and make recommendations for revising the boundaries of the areas to better serve older Montanans.

(2) The task force consists of ~~42~~ 15 members appointed as follows:

(a) two members of the Montana senate appointed by the committee on committees, one from the majority party and one from the minority party;

(b) two members of the Montana house of representatives appointed by the speaker of the house, one from the majority party and one from the minority party; and

(c) additional members appointed by the director of the department or the director's designee to represent:

(i) ~~two~~ FOUR area agencies on aging, one with a service area that ~~includes~~ PRIMARILY SERVES urban areas, ~~and one~~ PRIMARILY serving only rural communities, ONE FROM A SERVICE AREA WEST OF THE CONTINENTAL DIVIDE, AND ONE FROM A SERVICE AREA EAST OF THE CONTINENTAL DIVIDE;

(ii) two senior centers, one urban and one rural;

(iii) recipients of aging services;

(iv) providers of aging services; ~~and~~

1           (V) A TRIBAL REPRESENTATIVE WITH KNOWLEDGE OF THE UNIQUE NEEDS OF THE INDIAN ELDERLY

2 POPULATION; AND

3           ~~(V)~~(VI) a person with an interest in aging services who has the ability to analyze data for the task force.

4           (3) The task force shall make recommendations to the department to assist with the redesignation  
5 of the planning and service areas scheduled to be completed by July 1, 2027, pursuant to 52-3-405.

6           (4) A vacancy on the committee must be filled by the appointing authority in the same manner as  
7 the original appointment.

8           (5) (a) The department director shall appoint the presiding officer of the task force.

9           (b) The task force is attached to the department for administrative purposes only.

10          (6) The task force shall meet at least quarterly in person and may hold additional meetings by  
11 electronic means.

12          (7) The department shall reimburse nonlegislative members of the task force as provided in 2-18-  
13 501 through 2-18-503 for travel expenses incurred while engaged in task force activities. The department shall  
14 reimburse legislative members for compensation and expenses as provided in 5-2-302 for each day the  
15 members are engaged in task force activities.

16

17           **Section 2.** Section 52-3-405, MCA, is amended to read:

18           **"52-3-405. Designation of planning Planning and service areas -- designation -- department**  
19 **review -- report.** (1) On or before ~~October 1, 1983~~ July 1, 2027, and every 4 years following, the department  
20 shall review and redesignate, if necessary, the planning and service areas it utilizes for services to the aged  
21 OLDER ADULTS.

22           (2) The department shall fix the number of planning and service areas at no less than 7 and no  
23 more than ~~12~~ 10.

24           (3) Planning and service areas shall MUST follow ~~either~~ recognized county boundaries ~~or Indian~~  
25 ~~reservation boundaries, or both~~ AND INCLUDE INDIAN RESERVATIONS LOCATED WITHIN THE DESIGNATED PLANNING  
26 AND SERVICE AREA.

27           ~~(4) The department may designate a combination of Indian reservations as a planning and service~~  
28 ~~area for any reservations that have applied to be designated under a consortium supported by their respective~~

1 tribal governments.

2 ~~(5)(4)~~ No later than July 1, 2025, the department shall prepare a plan for reviewing the requirements  
3 for designated planning and service areas, taking into account recommendations from the task force on  
4 planning and service areas provided for in [section 1].

5 ~~(6)(5)~~ The review must analyze the population trends of older adults in Montana, focusing on  
6 individuals who:

7 (a) are living in designated rural and frontier areas; or

8 (b) are in greatest economic and social need, with particular attention to:

9 (i) low-income and low-income minority individuals;

10 (ii) individuals with limited English speaking ability;

11 (iii) individuals with severe disabilities;

12 (iv) individuals with Alzheimer's disease or related dementias and their caregivers; and

13 (v) tribal members.

14 ~~(7)(6)~~ The review must:

15 (a) identify high-volume and low-volume service areas;

16 (b) identify and resolve obstacles for service delivery;

17 (c) project the estimated utilization of services;

18 (d) evaluate the statewide funding formula; and

19 (e) set planning and service areas that are based on sound data and analysis.

20 ~~(8)(7)~~ The department shall report twice a year to the children, families, health, and human services  
21 interim committee in accordance with 5-11-210 on the efforts undertaken to develop the plan and implement  
22 services."

23  
24 **NEW SECTION. Section 3. Appropriation.** There is appropriated \$46,850 from the general fund to  
25 the department of public health and human services in each year of the biennium beginning July 1, 2023, to  
26 carry out the purposes of [sections 1 and 2].

27  
28 **NEW SECTION. Section 4. Codification instruction.** [Section 1] is intended to be codified as an

1 integral part of Title 52, chapter 3, part 4, and the provisions of Title 52, chapter 3, part 4, apply to [section 1].

2

3 NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2023.

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5 NEW SECTION. **Section 6. Termination.** [Section 1] terminates July 1, 2027.

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- END -

AMENDED