



*The Big Sky Country*

## MONTANA HOUSE OF REPRESENTATIVES

### SPONSOR'S REBUTTAL TO FISCAL NOTE

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House Bill Number: HB 332 Date Prepared: 2/6/23

Short Title: Generally revise laws related to employee health benefits.

Sponsor: Bedey

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**Generally, why do you disagree with the fiscal note?**

See attached / back.

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**Specifically, what in the fiscal note do you feel is flawed?**

*(Describe specific assumptions, calculations, technical issues, etc.)*

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**What is your estimate of the fiscal impact?**

**Sponsor Signature:** \_\_\_\_\_

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**Date Prepared:** February 6, 2023

**Short Title:** Generally revise laws related to school employee health benefits

**Sponsor:** Rep. David Bedey

Below are responses to the Assumptions and Technical Notes contained in the fiscal note:

**Assumption 3:** MUST does not meet the qualifying requirements for the health insurance trust that is to be created by this program. Not only would it need to attract more districts (and employees) to participate, it would also have to radically restructure its operating agreement—effectively dissolving and then reforming. It is envisioned that the qualifying trust will be an entirely new entity. To dispel the suggestion that MUST is the only viable option for the trust, an amendment is being offered stipulating that only a trust created on or after July 1, 2023, is eligible to qualify.

**Technical Note 1:** An amendment is being offered to shift responsibility for oversight for this program from OPI to the State Auditor. The amendment also provides for the Auditor to appoint an *ex officio* member to the trust's board and for the trust to regularly report an analysis of its risk-based capital levels.

**Technical Note 2:** It is unfortunate that OPI does not have a count of all employees working in school districts. But such data is unnecessary for the purposes of this program. The trust is responsible for reporting the number of participating employees.

**Technical Note 3:** An amendment resolving this accounting issue is being offered.