



AN ACT CREATING THE MEDICAID AND 24/7 FACILITY CONTINGENCY FUND; ESTABLISHING USES OF THE FUND; PROVIDING FOR A TRANSFER OF FUNDS; PROVIDING APPROPRIATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.

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

Section 1. Medicaid and 24/7 facility contingency fund. (1) Subject to available funding, there is a medicaid and 24/7 facility contingency fund in the state special revenue fund provided for in 17-2-102 to the credit of the office of budget and program planning.

(2) The contingency fund consists of money received from funds transferred by the legislature.

(3) Funds in the account are subject to agency transfer to the department of public health and human services to mitigate supplemental requests associated with expenditures in fiscal year 2023 for:

(a) the medicaid program provided for in Title 53, chapter 6; and

(b) operation of the following facilities that provide 24/7 care and treatment:

(i) the intensive behavior center provided for in 53-20-602;

(ii) the Montana mental health nursing care center provided for in 53-21-411; and

(iii) the Montana state hospital provided for in 53-21-601.

(4) On the occurrence of an agency transfer pursuant to this section, the director of the office of budget and program planning shall certify to the legislative finance committee no later than June 30 of the fiscal year in which the transfer occurred:

(a) the amount transferred to and anticipated to be spent by the department of public health and human services;

(b) the specific purposes for which the funds will be used; and

(c) the department's plan for mitigating the expenditures related to the facilities listed in subsection

(3)(b) in the next fiscal year.

(5) Any money in the account that is not encumbered by September 30, 2023, must revert to the general fund.

Section 2. Transfer of funds. There is transferred \$56.5 million from the general fund to the medicaid and 24/7 facility contingency fund provided for in [section 1]. The transfer must occur no later than June 30, 2023.

Section 3. Appropriations. (1) There is appropriated \$56.5 million from the medicaid and 24/7 facility contingency fund provided for in [section 1] to the office of budget and program planning for the fiscal year beginning July 1, 2022, for the purposes of [section 1].

(2) There is appropriated \$165 million in federal special revenue authority to the office of budget and program planning for the fiscal year beginning July 1, 2022, for the purposes of [section 1].

(3) There is appropriated \$4 million in state special revenue authority to the office of budget and program planning for the fiscal year beginning July 1, 2022, for the purposes of [section 1].

Section 4. Effective date. [This act] is effective on passage and approval.

Section 5. Termination. [This act] terminates October 1, 2023.

- END -

I hereby certify that the within bill,
HB 835, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2023.

President of the Senate

Signed this _____ day
of _____, 2023.

HOUSE BILL NO. 835

INTRODUCED BY B. KEENAN, L. JONES

AN ACT CREATING THE MEDICAID AND 247 FACILITY CONTINGENCY FUND; ESTABLISHING USES OF THE FUND; PROVIDING FOR A TRANSFER OF FUNDS; PROVIDING APPROPRIATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.