

REVISED WORK PLAN

CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

2019-2020 INTERIM

For Committee Review and Adoption on July 30, 2019

Sue O'Connell, Research Analyst
MONTANA STATE LEGISLATURE

COMMITTEE MEMBERS AND STAFF: 2019-2020 INTERIM

Legislative Members

Senators		Representatives	
	Hometown		Hometown
John Esp	Big Timber	Barbara Bessette	Great Falls
Mary McNally	Billings	Mary Caferro	Helena
Albert Olszewski	Kalispell	Dennis Lenz	Billings
Diane Sands	Missoula	Frederick "Eric" Moore	Miles City
		Gordon Pierson	Deer Lodge
		Tom Welch	Dillon

Staff Members

Staff Member	Title	Phone	E-Mail
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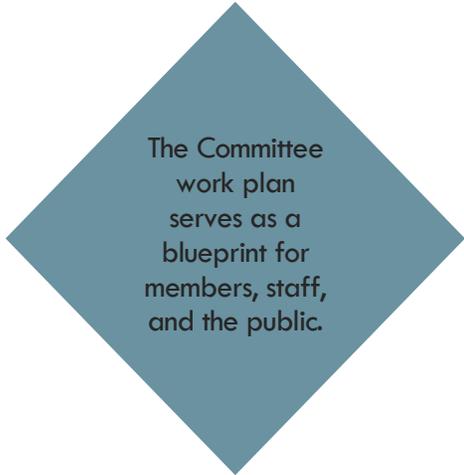
INTRODUCTION AND OVERVIEW

The Children, Families, Health, and Human Services Interim Committee (Committee) is one of several interim committees established in law and required to meet in between legislative sessions. State law requires the interim committees to:

- conduct interim studies as assigned;
- propose bills and resolutions the committee believes should be presented to the next Legislature; and
- review administrative rules, programs, and legislation for agencies within the committee’s jurisdiction. The Committee is responsible under state law for monitoring the activities of the Department of Public Health and Human Services (DPHHS), the largest agency in state government.

This interim, the Legislative Council assigned the following studies to the Committee:

- House Joint Resolution 32, for a study of prenatal drug use and the effects on infants;
- House Joint Resolution 48, for a study of ways to support families involved in the child protective services system;
- House Joint Resolution 49, for a study of the role of law enforcement and the courts in the child protective services system; and
- House Joint Resolution 50, for a study of the DPHHS Senior and Long-Term Care Division.



The Committee work plan serves as a blueprint for members, staff, and the public.

The Legislative Council also passed along a request from the Senate Judiciary Committee that the Committee study a uniform guardianship law that was considered but tabled during the 2019 legislative session. Senate Bill 202 would have enacted provisions of a law proposed by a national commission on uniform state laws.

This work plan details the Committee’s study and agency oversight duties for the interim, which effectively runs from June 2019 through September 15, 2020. It also discusses other activities the Committee will undertake. The work plan includes:

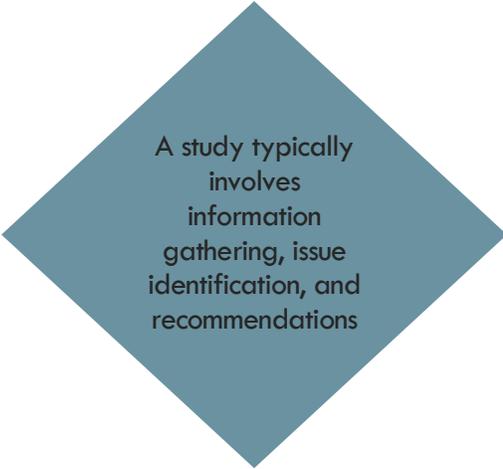
- tools the Committee used to determine the level of involvement it will have in its interim study assignments and its agency and issue monitoring duties;
- a list of topics, beginning on page 12, for which the Committee may receive additional information during the interim;
- *a schedule of meeting dates for the remainder of the interim, on Page 11;*
- *a schedule of planned activities for each meeting, in Appendix C beginning on Page 15; and*
- *the planned activities for each of the Committee’s studies, beginning on Page 19.*

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ASSIGNED STUDIES

The 2019 Legislature approved 27 interim study resolutions, which were ranked by legislators after the session. The Legislative Council assigned all 27 study requests to the various interim committees on May 29. Following is a description of each of the study resolutions assigned to the Children and Families Committee.

- HJR 49, which ranked fifth out of the 27 studies in the post-session poll of legislators, requests a study of the role of law enforcement and the courts in the child protective services system. The resolution asks that the Committee look at the effects that child abuse and neglect cases have on local law enforcement officers, county attorneys, and district courts and at other matters affecting the interaction of the DPHHS Child and Family Services Division with law enforcement agencies and the judicial system. The resolution specifically asks that the Committee review any work being done by other groups on this topic.
- HJR 48, which ranked eighth in the post-session poll, calls for a study of ways in which to support families involved in the child protective services system. The resolution asks that the Committee look at the rights of parents and children and whether current laws or practices infringe on those rights. It also asks that the committee look at barriers to reunifying families after children have been removed from the home and at the resources that could be made available to strengthen families and improve the rate of family reunification. And it asks that the Committee review the steps DPHHS is taking to carry out the federal Family First Prevention Services Act and obtain funding that will be available under that law for expanded prevention activities.
- HJR 50, which ranked ninth in the post-session poll, calls for a study of the DPHHS Senior and Long-Term Care Division. The resolution asks that the Committee examine the services and procedures involving the Community First Choice Program, the Personal Assistance Services Program, and the Big Sky Waiver, including barriers that prevent individuals from being able to access the services available under those programs. It also asks that the Committee look at access to other aging services programs by all senior citizens.
- HJR 32, which ranked 22nd in the post-session poll, requests a study related to prenatal drug use. The resolution asks the Committee to look at the prevalence of prenatal drug use and neonatal abstinence syndrome in Montana, as well as at programs being used in Montana and elsewhere to reduce opioid and other drug use by pregnant women and to mitigate the effects of neonatal abstinence syndrome.



A study typically involves information gathering, issue identification, and recommendations

In addition, the Legislative Council also agreed to a request by the Senate Judiciary Committee to have an interim committee review the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act. The Judiciary Committee made the request after considering – and tabling – Senate Bill 202 during the 2019 legislative session.

SB 202 would have adopted most of the uniform law developed by the Uniform Law Commission, a body that prepares legislation for adoption in all 50 states to provide for standard statutory language on topics of common

interest in the states. The bill would have repealed many of Montana’s decades-old laws on guardianships and conservatorships and replaced the statutes with the newer uniform law. After hearing concerns about how the proposed changes would affect the judicial system, the Senate Judiciary Committee tabled the bill and instead suggested that an interim committee study the proposed changes and determine which elements of the model law would work best in Montana. The Judiciary Committee request is included as Appendix B on Page 13.

In making its study assignments, the Legislative Council also recommended that each committee be given a list of the poll results and decide whether and to what degree it will carry out each study

Anatomy of a Study

In general, an interim study follows a basic pattern in which the Committee:

- gathers information about the assigned topic;
- identifies issues of concern or interest in order to narrow the focus of the study; and
- considers options for action, including potential legislation.

The first phase of the study is carried out over the first few meetings of the interim. Steps taken during this time include:

- review of staff research papers and other informational materials on study topics;
- presentations by people with experience and expertise on various aspects of the study topics; and
- public comment from interested parties, who may offer specific study-related suggestions.

In the second phase of the study, the Committee spends a meeting or two narrowing the focus of the study. During this time, the Committee identifies topics or questions that members would like to address through further analysis or legislation. This phase helps members concentrate on the study issues they consider to be of the greatest importance and obtain any additional information needed to make recommendations to the 2021 Legislature.

The final stage of the study covers the last few meetings, when members review and decide on options for action. Potential solutions usually are reviewed and refined at multiple meetings before the Committee takes final action.

Committee Decision Points on Study Assignments

Committee members agreed to spend the bulk of their meeting time on three study assignments – the HJR 48 study of ways to support families in the child protective services system, the HJR 49 study of the role of law enforcement and the judiciary in the child protective services system, and the HJR 50 study of the Senior and Long-Term Care Division. Additionally, the Committee agreed to conduct the HJR 48 and HJR 49 study as one study of child protective services. The Committee will spend a limited amount of time on the HJR 32 study of prenatal drug abuse and the SB 202 guardianship study.

The table below indicates the approximate amount of time and types of activities planned for each study.

	Option A	Option B	Option C	Option D
Committee Activities	None	<ul style="list-style-type: none"> Panel discussion on one or two study topics as identified by the Committee 	<ul style="list-style-type: none"> Review staff-provided background materials on 3 to 4 study topics as identified by the Committee Panel discussions or individual speakers on the study selected topics 	<ul style="list-style-type: none"> Review staff-provided background materials on all topics identified in the study resolution Review additional staff materials developed at the request of the Committee Panel discussions or individual speakers on all topics identified in the study resolution Additional items as identified by the Committee
Staff Deliverables	None	<ul style="list-style-type: none"> Summary of findings from panel discussion(s) Legislation if requested Final report (<i>HJR 32</i>) 	<ul style="list-style-type: none"> Staff research papers on some of the study topics as selected by the Committee Decision tools Legislation if requested Final report 	<ul style="list-style-type: none"> Staff research papers on all topics identified in the study resolution Staff research materials on additional topics identified by Committee members or stakeholders Decision tools Legislation if requested Final report
Estimated Committee Time		<i>HJR 32: 4 hours</i> <i>SB 202: 2 hours</i>		<i>HJRs 48/49: 35 hours</i> <i>HJR 50: 20 hours</i>

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AGENCY OVERSIGHT

The Department of Public Health and Human Services has more than 3,000 employees throughout the state and is responsible for providing both public health services to all Montanans and a wide array of assistance to vulnerable Montanans, including children and the elderly, needy, disabled, abused, neglected, and mentally ill. It also operates the following facilities:

- the Montana Developmental Center in Boulder, which has transitioned from a residential treatment center for about 55 seriously developmentally disabled individuals to a secure unit, known as the Intensive Behavior Center, for up to 12 developmentally disabled individuals who are committed to the facility by a court;
- the Montana State Hospital at Warm Springs, for adults with mental illness who have been committed for treatment by a court because they pose a danger to themselves or others or have been charged with or convicted of a crime;
- the Montana Chemical Dependency Center in Butte, an inpatient treatment center for adults who have been diagnosed as having an addiction to drugs or alcohol or who suffer co-occurring addiction and mental illness;
- the Mental Health Nursing Care Center in Lewistown, a long-term care facility for people who have a mental disorder, require a level of care that isn't available in the community, and can't benefit from treatment at the State Hospital; and
- the Eastern Montana Veterans' Home in Glendive and the Montana Veterans' Home in Columbia Falls, which are open to veterans and spouses who need skilled, intermediate-level nursing care or suffer from Alzheimer's disease.

Committee Duties for Agency Oversight

State law sets out several agency oversight duties for interim committees. Each responsibility is outlined below.

Administrative Rule Review

The Committee's legal staff reviews DPHHS rulemaking notices and will provide the Committee with information on proposed and adopted rules, with particular attention to any rules that may be out of compliance with legislative intent or the Montana Administrative Procedure Act (MAPA). That law allows interim committees to:

- obtain an agency's rulemaking records to review them for compliance;
- submit written recommendations on adopting, amending, or rejecting a rule;
- require that a rulemaking hearing be held; and
- participate in proceedings and review the conduct of administrative proceedings.

Interim committees also may delay the adoption of proposed rules by objecting to proposals that members believe do not comply with the provisions of MAPA.

Program Monitoring

The committee also is required to monitor DPHHS operations with specific attention to:

- issues likely to require future legislative action;
- opportunities for improving the existing laws governing the agency's operation and programs; and
- experiences that Montanans have had with the agency that may be improved through legislative action.

Montana Medical Marijuana Act

In addition to its general oversight duties, the Committee is specifically required by law to monitor DPHHS activities related to implementation of the Montana Medical Marijuana Act to determine if any legislative changes are needed to the law. In recent years, the Committee has limited its involvement to reviewing statistics related to the program and to following developments in a legal challenge to the 2011 law that created stricter requirements for the program and that was pending in the courts until 2016. Last interim, the committee spent time following development of administrative rules to put into effect additional changes created by Initiative 182 in 2016 and Senate Bill 333 in 2017.

The 2019 Legislature made additional, substantive changes to the medical marijuana law, with passage of SB 265. Among other things, that bill creates new licensing standards for medical marijuana providers and testing laboratories, allows the use of telemedicine by physicians providing written certification of debilitating medical conditions, limits the amount of marijuana that a cardholder can purchase each month, establishes new fees and penalties, and requires that DPHHS establish by July 1, 2020, a system that will allow cardholders to purchase marijuana and marijuana-infused products from any provider -- rather than one, specified provider as is currently required.

Required Reports

DPHHS and other entities are required by law to present a number of reports to the Committee, as listed in the table below.

Report	Frequency
Child and Family Ombudsman Activities and Recommendations	Annually
Child Abuse and Neglect Review Commission Recommendations	Every Two Years
Out-of-State Placement of Children with Mental Health Needs	Twice a Year
Children's Mental Health Outcomes	Annually
Strategic Plan for Implementing the Family First Prevention Services Act	One Time Only
Mobile Mental Health Crisis Units	One Time Only
TANF Parents as Scholars Program	Annually
Medicaid Expansion Participation, Demographics, and Funding	Quarterly
Medicaid Expansion Workforce Development Participation/Employer Grants	Annually
Suicide Reduction Plan	Every Two Years
Interagency Coordinating Council on Prevention Programs	Unspecified
Status of Individuals Placed from MDC into the Community	Annually
Plan for Reviewing DD Rules, Policies, and Procedures	One Time Only
Medical Marijuana-Related Complaints Against Physicians	Annually
Medical Marijuana Registry Statistics	Periodically
Results of Inspections of Medical Marijuana Premises	Every Two Years
Implementation of Secure Data Warehouse Project and Data Sharing	Quarterly
Oversight of Private Alternative Adolescent Residential Programs	Unspecified

The Committee decided, in general, to receive written copies of the reports, rather than have the reports presented during Committee meetings.

HB 142 Review

In 2011, the Legislature approved HB 142, requiring interim committees to review the statutorily created advisory councils and required reports related to the agencies they oversee. The committees could then recommend that the laws related to those councils and reports either be revised or repealed.

Review of Draft Legislation

The interim committee process allows for an early review of agency-requested legislation. Interim committees typically authorize the drafting of many state agency bills in advance of the November election. This process frees up time for the Legislative Services Division staff to concentrate on legislator bill draft requests after the election. Agency bills drafted as a result of this process must be introduced before the 2021 legislative session begins and are usually among the first bills scheduled for hearings.

Other Activities

Committee members decided to include the following activities in their work plan this interim:

- **Travel:** *The Committee agreed to meet outside of Helena for its November 2019 meeting to visit programs involved in the committee's studies and agency oversight duties. The meeting is likely to be held in Billings.*
- **Legislative Week:** *Some legislative leaders have proposed that most interim committees and the Legislative Finance Committee schedule meetings for the same week in January 2020. Potential joint activities, if any, for this week have not yet been specified. However, the Committee agreed to set aside time to allow involvement in joint activities, if any are scheduled.*
- **Legislative Fiscal Division Updates:** *The Committee allotted time for the following budget-related items:*
 - *information related to the Legislative Finance Committee's House Bill 715 study. That bill requires the Legislative Finance Committee to study the revenue sufficiency for long-term potential expenditures, including spending on health care costs, and to study the financial sustainability of revenue sources that are supporting Medicaid and the Healthy Montana Kids Plan, among other things. The committee will schedule time in the fall and potentially in January 2019 for information on this study.*
 - *quarterly updates from the Legislative Fiscal Division on the status of the DPHHS budget; and*
 - *Legislative Fiscal Division updates on any Legislative Finance Committee subcommittee efforts that look at items specific to DPHHS.*

In determining how much time to spend on its various oversight activities, the committee reviewed the table on the following page. The table lists differing levels of involvement for each activity, along with the staff estimates of the amount of Committee meeting time that would be needed to conduct each activity at the various levels of involvement.

Administrative Rule Review		
<p><u>Minimal Involvement: 1 hour</u></p> <ul style="list-style-type: none"> • Receive a list of proposed rules prior to each meeting • Legal staff will note issues of concern 	<p><u>Moderate Involvement: 1.75 hours</u></p> <ul style="list-style-type: none"> • Receive brief written descriptions of each rule prior to meetings • Legal staff will note issues of concern 	<p><u>Significant Involvement: 3 hours</u></p> <ul style="list-style-type: none"> • Receive brief written descriptions of each rule prior to meetings • Legal staff will note issues of concern • Committee review of any rule identified for further review • Public comment on rules of concern
Agency Monitoring		
<p><u>Minimal Involvement: 5 hours</u></p> <ul style="list-style-type: none"> • Required reports included in meeting packets; presentations scheduled upon Committee request • Written update of DPHHS activities included in meeting packets; Committee members designate topics on which they would like further information at a future meeting 	<p><u>Moderate Involvement: 10 hours</u></p> <ul style="list-style-type: none"> • Agency presentation on 3 to 4 of the statutorily required reports; other reports provided only in writing • Update on DPHHS activities at each meeting • Additional updates scheduled on 2 or 3 topics identified in Appendix A or by Committee members, DPHHS, or stakeholders during the interim 	<p><u>Significant Involvement: 18.5 hours</u></p> <ul style="list-style-type: none"> • DPHHS presentation on all statutorily required reports • Update on DPHHS activities at each meeting • Additional reports or presentations scheduled for each topic of interest identified in Appendix A or by Committee members, DPHHS, or stakeholders during the interim
Montana Medical Marijuana Act Monitoring		
<p><u>Minimal Involvement: 1 hour</u></p> <ul style="list-style-type: none"> • Written staff updates on registry statistics • DPHHS reports on activities, as needed 	<p><u>Moderate Involvement: 3.5 hours</u></p> <ul style="list-style-type: none"> • Written updates on registry statistics and SB 265 implementation issues • Periodic DPHHS or stakeholder presentations on new developments • Identify issues in need of legislative attention • Consider draft legislation 	<p><u>Significant Involvement: 5.5 hours</u></p> <ul style="list-style-type: none"> • Written updates on registry statistics and SB 265 implementation issues • Regular DPHHS and stakeholder presentations on new developments • Identify issues in need of legislative attention • Consider draft legislation
HB 142 Review		
<p><u>Minimal Involvement: 0.25 hours</u></p> <ul style="list-style-type: none"> • Review list of statutory advisory councils and reports to determine if any should be reviewed for changes 	<p><u>Moderate Involvement: 1 hour</u></p> <ul style="list-style-type: none"> • Review staff-provided information on each advisory council and report • Designate councils or reports for further review 	<p><u>Significant Involvement: 3 hours</u></p> <ul style="list-style-type: none"> • Review staff-provided information on each advisory council and report • Schedule presentation to discuss each report and advisory council
HB 715/LFD Updates		
<p><u>Minimal Involvement: 0.5 hours</u></p> <ul style="list-style-type: none"> • HB 715 presentation in September 2019 	<p><u>Moderate Involvement: 3-4 hours</u></p> <ul style="list-style-type: none"> • HB 715 presentations in September 2019 and January 2020; take public comment in September 2019 on potential Committee input for study • Legislative Week activities TBD • Written quarterly DPHHS budget reports in packet 	<p><u>Significant Involvement: 6.5 hours</u></p> <ul style="list-style-type: none"> • HB 715 presentations in September 2019 and January 2020; take public comment in September 2019 on potential Committee input for study • Legislative Week activities TBD • LFD presentations on quarterly DPHHS budget reports • LFD presentations on subcommittee activities related to DPHHS

ALLOCATION OF COMMITTEE TIME

The Committee’s budget of \$42,400 will cover approximately 10 meeting days, giving the Committee about 75 hours of meeting time to split among its various studies and its other statutorily required oversight duties. The table below *indicates the amount of time the Committee decided to spend on each activity. However, members noted that these allocations may change as the interim progresses, if the Committee determines that any activity needs more or less time or if a new issue emerges that needs the Committee’s time and attention.*

COMMITTEE TIME COMMITMENT					
Activity	Study Option: A	Study Option: B	Study Option: C	Study Option: D	
	Oversight: None	Oversight: Minimal	Oversight: Moderate	Oversight: Significant	
HJR 32: Prenatal Drug Use		4			
HJR 48/49: CPS Matters				35	
HJR 50: SLTC Division				20	
SB 202: Guardianship Law		2			
Administrative Rule Review				3	
General Monitoring		5.5			
Agency Legislation		.5 hours			
Medical Marijuana Monitoring		1			
HB 142 Review	0				
HB 715/LFD Updates				6	
Emerging Issues	0				
Other Member Topics	0				
Total	0	13		64	77

Meeting Schedule

The Committee adopted the following meeting schedule, after agreeing to meet by conference call in July to fulfill the statutory requirement that the Committee bear and take comment on the waiver application that DPHHS must submit to the federal government to continue Medicaid expansion and implement the community engagement and premium provisions contained in House Bill 658.

Day	Date
Tuesday	July 30, 2019
Friday	Sept. 13, 2019
Thursday-Friday	Nov. 14-15, 2019
(Thursday-)Friday	Jan. (16-)17, 2020
Thursday-Friday	March 19-20, 2020
Monday	May 11, 2020
Monday	June 29, 2020
Thursday-Friday	Aug. 27-28, 2020

The Jan. 16 meeting date may depend on whether any joint activities are planned for Legislative Week. Meeting dates also may be adjusted based on the Committee’s budget.

APPENDIX A: TOPICS OF INTEREST

Below is a list of topics about which the Committee may obtain additional information during the interim, through DPHHS updates or other means as identified by the Committee.

Topic: Developmental Disabilities	Reason	Activity	Date
Targeted Case Management	HB 580 established a caseload cap on case management services and appropriated funding for the services	Agency update	<i>November 2019</i>
Topic: Health Care	Reason	Activity	Date
Community Integrated Health Care	SB 38 allows emergency care providers to provide nonemergency health care services; the Board of Medical Examiners will be developing rules related to scope of practice	Agency update	<i>As developments occur</i>
Developments related to opioid prescribing changes	HB 86 will put several changes into effect related to opioid prescriptions	DOJ report	<i>Summer 2019</i>
Community Health Aide Program	HB 599 allows certain types of health care aides to obtain federal certification, rather than state licensure, to practice in tribal health care facilities	Agency update	<i>As developments occur</i>
Topic: Mental Health	Reason	Activity	Date
Mobile Crisis Unit Pilot Project	HB 660 appropriated funds to create up to four mobile mental health crisis units throughout the state	Agency update	<i>November 2019 or January 2020</i>
Suicide Prevention Grants	HB 696 appropriated funds for new suicide prevention activities for veterans and youth	Agency update	<i>November 2019 or January 2020</i>
Targeted Case Management	HB 669 appropriated funds for mental health targeted case management services	Agency update	<i>Ongoing</i>
Peer Support Services	SB 30 allowed for Medicaid coverage of peer support services	Agency update	<i>March 2020</i>
Topic: Mental Health	Reason	Activity	Date
Private Alternative Adolescent and Outdoor Residential Programs	SB 267 transferred responsibility for licensure and oversight of these programs from the Department of Labor to DPHHS	Agency update	<i>November 2019</i>
Topic: Senior and Long-Term Care	Reason	Activity	Date
Big Sky Waiver Slots	HB 669 used money from the Older Montanans Trust Fund to create 100 new waiver slots over the biennium	Agency updates	<i>Incorporated into HJR 50 Study</i>

Montana State Senate



The Big Sky Country

April 16, 2019

President, Scott Sales
Minority Leader, Jon Sesso
Montana Senate
State Capitol Building
Helena, MT 59624

Speaker, Greg Hertz
Minority leader, Casey Schreiner
Montana House of Representatives
State Capitol Building
Helena, MT 5962

Dear Ex Officio members of the Legislative Council,

The Senate Judiciary Committee for the 2019 Legislative Session requests that the Legislative Council for the 2019 - 2020 interim study the issues and complexities raised in Senate Bill 202. Senate Bill 202 generally revised guardianship and conservator laws, and sought adoption of the Uniform Guardianship, Conservatorship, and other Protective Arrangements Act.

Sincerely,

Senator Keith Regier
Chairman, Senate Judiciary Committee

CAPITOL ADDRESS • PO BOX 200500 • HELENA, MT 59620-0500 • (406) 444-3064

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APPENDIX C: SCHEDULE OF ACTIVITIES

Following is a planned schedule of activities for each of the Committee's meetings.

Meeting Date	Activity	Tasks/Policy Decisions	
June 2019	➤ Organizational	<ul style="list-style-type: none"> ◆ Elect officers ◆ Review work plan and study assignments ◆ Approve meeting dates 	
	➤ Agency Monitoring	<ul style="list-style-type: none"> ◆ Administrative rule review ◆ DPHHS update ◆ Medical marijuana reports 	
	➤ Assigned Studies	<ul style="list-style-type: none"> ◆ Review and discuss study tasks for assigned studies 	
July 2019	➤ Organizational	<ul style="list-style-type: none"> ◆ Review and adopt work plan 	
	➤ Agency Monitoring	<ul style="list-style-type: none"> ◆ Hear and take comment on waiver application to implement HB 658 provisions for Medicaid expansion 	
September 2019	➤ Assigned Studies	<ul style="list-style-type: none"> ◆ HJRs 48/49: Child Protective Services <ul style="list-style-type: none"> ◇ Overview of CPS statistics ◇ Overview of CPS laws and procedures ◇ Overview of Family First Prevention Services Act ◆ HJR 50: Senior and Long-Term Care <ul style="list-style-type: none"> ◇ Overview of Big Sky Waiver, Personal Assistance Program, and Community First Choice Program services and statistics ◇ Overview of program-related rules and procedures ◆ HJR 32: Prenatal Drug Use <ul style="list-style-type: none"> ◇ Overview of national and Montana statistics and demographics ◇ Overview of grant-funded initiatives in Montana ◆ SB 202: Guardianship <ul style="list-style-type: none"> ◇ Review of SB 202 testimony ◇ Committee direction to staff 	
		➤ Agency Monitoring	<ul style="list-style-type: none"> ◆ Administrative rule review ◆ DPHHS update ◆ Statutorily required reports
		➤ HB 715/LFD Updates	<ul style="list-style-type: none"> ◆ HB 715 Study update, if available ◆ Quarterly budget report for DPHHS

HJR 32 Study: Prenatal Drug Use

HJR 32 asks that the Committee study best practices for reducing opioid and other drug use by pregnant women and for reducing the occurrence of neonatal abstinence syndrome in newborns. The Committee decided to limit its involvement in this study to 4 hours. The table below shows anticipated study activities.

Study Task	Meeting Date	Committee Time
1. Examine the prevalence of neonatal abstinence syndrome in Montana	September 2019	.5 hours
2. Examine whether certain areas of the state or certain populations experience a greater-than-average prevalence of neonatal abstinence syndrome	September 2019	.5 hours
3. Review efforts being undertaken in Montana communities and other states to decrease opioid use by pregnant women and mitigate the effects of opioid withdrawal in infants	November 2019 or January 2020	2 hours
4. Review information, make recommendations, develop legislation as necessary	January through August 2020	1 hour
	Total	4 hours

HJR 48 and HJR 49: Child Protective Services

HJR 48 asks for a study of ways to support families who are involved in the child protective services system, while HJR 49 asks for a study of the appropriate role of law enforcement and the judiciary in that system. The Committee decided to combine these two studies and devote a significant amount of time to the effort. The table below shows anticipated study activities.

Study Task	Meeting Date	Committee Time
1. Examine the rights of parents and children, any infringements on those rights that may occur under current law and practices, and the rights of parents to parent their children	September and November 2019	2.5 hours
2. Examine the effects that child abuse and neglect cases have on local law enforcement officers, county attorneys, and district courts	November 2019 and January 2020	2.5 hours
3. Examine the use of court orders in child removal cases and the historical and optimal role of law enforcement officers with DPHHS during removal of children from their homes	November 2019 and January 2020	2 hours
4. Examine the interaction of the Office of the Child and Family Ombudsman with DPHHS, law enforcement officials, and the court system	November 2019 or January 2020	2 hours
5. Examine barriers to reunifying children with their parents after removal from the home, including barriers related to mental health and substance abuse problems	November 2019 through March 2020	2 hours
6. Examine resources that are or could be made available to strengthen families, improve the rate of family reunification, or speed up the reunification process	November 2019 through March 2020	4 hours
7. Examine steps that could be taken to mitigate the power differential between child protective services workers and clients	January through March 2020	1.5 hours
8. Examine whether DPHHS or other practices should be changed in order to reduce child removals, increase reunifications, mitigate power differentials, and support activities allowed under the Family First Prevention Services Act	January through June 2020	3 hours
9. Examine steps DPHHS is taking or needs to take to prepare to obtain funding under the Family First Prevention Services Act	March through August 2020	1 hour
10. Work on a parental bill of rights	March through August 2020	2 hours
11. Determine whether guardianship laws in this area should be revised	January through May 2020	.5 hours
12. Review information, make recommendations, develop legislation as necessary	March through August 2020	12 hours
	Total	35 hours

HJR 50: Senior and Long-Term Care Division

HJR 50 asks that the Committee study matters related to the Senior and Long-Term Care Division of the Department of Public Health and Human Services. The Committee decided to devote a significant amount of time to the study. The table below shows the study activities listed in the resolution and the estimated amount of Committee time required to fully carry out each task.

Study Task	Meeting Date	Committee Time
1. Review access to the Community First Choice Program, the Personal Assistance Services Program, and the Big Sky Waiver	September or November 2019	1.5 hours
2. Examine barriers preventing individuals from accessing services and preventing the division from fully using funds appropriated for the Big Sky Waiver, including workforce issues and Medicaid reimbursement rates	September or November 2019	2.5 hours
3. Review changes to the division's policies and interpretations of policy, including how the changes have affected the level of services provided under the Community First Choice and Personal Assistance Services programs and the Big Sky Waiver	November 2019 through January 2020	1.5 hours
4. Examine the manner in which waiver slots are created and filled, including the process used to maintain the waiting list and select people for services when openings occur	September 2019	1 hour
5. Examine the status of cuts that were made in services during the 2019 biennium and the manner in which DPHHS used funds that were restored to the agency under Senate Bill 9 from the 2017 special session	January 2020	1.5 hours
6. Examine access to aging services programs for seniors of all ages	January and March 2020	2 hours
7. Study other matters as determined by the committee, including matters related to the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act if appropriate	January and March 2020	2 hours
8. Review information, make recommendations, develop legislation as necessary	January through August 2020	8 hours
	Total	20 hours

SB 202: Uniform Guardianship Law

The Legislative Council agreed to ask the Committee to study a guardianship law proposed by the Uniform Laws Commission and introduced as Senate Bill 202 in the 2019 Legislature. The Senate Judiciary Committee tabled the bill but asked that an interim committee study the matter further before the 2021 Legislature convenes.

Study Task	Meeting Date	Committee Time
1. Review proponent and opponent testimony on SB 202 and provide direction to staff	September or November 2019	.5 hours
2. Receive updates on staff discussions with interested parties and determine whether topics should be incorporated into the HJR 48/49 or HJR 50 study	November 2019 and January 2020	.5 hours
3. Review information and make recommendations or develop legislation	March through August 2020	1 hour
	Total	2 hours

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