



INTERIM WORK PLAN

CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

2021-2022 INTERIM
Revised September 2021*

Sue O'Connell, Research Analyst
MONTANA STATE LEGISLATURE

* Appendices B and C, on Pages 13-22, have been revised to reflect the Committee's Sept. 22, 2021, decision to focus on its three mental health studies during the first half of the interim and on its three child protective services studies during the second half of the interim.

COMMITTEE MEMBERS AND STAFF: 2021-2022 INTERIM

Legislative Members

Senators	Hometown	Representatives	Hometown
Chris Friedel	Billings	Mary Caferro	Helena
Jen Gross	Billings	Jennifer Carlson	Manhattan
Theresa Manzella	Hamilton	Jane Gillette	Bozeman
Mary McNally	Billings	Dennis Lenz	Billings
		Ed Stafman	Bozeman
		Danny Tenenbaum	Missoula

Staff Members

Staff Member	Title	Phone	E-Mail
Sue O'Connell	Research Analyst	406-444-3597	soconnell@mt.gov
Alexis Sandru	Staff Attorney	406-444-4026	asandru@mt.gov
Fong Hom	Secretary	406-444-0502	fhom@mt.gov

INTERIM WORK PLAN


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 that committee members believe should be presented to the next Legislature; and
- review administrative rules, programs, and legislation for agencies within each committee's jurisdiction. The Children and Families 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:

- Senate Joint Resolution 14, for a study of the publicly funded mental health system for adults;
- House Joint Resolution 35, for a study of the children's mental health system;
- House Joint Resolution 39, for a study of the involuntary commitment and placement of people with Alzheimer's disease or other dementias;
- House Joint Resolution 44, for a study of the foster care system; and
- House Joint Resolution 45, for a study of the factors that trigger the removal of children from their homes and the reunification of families after removal.



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

In addition, the Legislature passed House Bill 39, which requires the Committee to hear a report by September 2021 on the results of two district court pilot projects involving child abuse and neglect cases. If the committee considers the results promising, it must create a work group to continue reviewing the effort and to make recommendations on how the approaches could be implemented statewide.


This work plans details the Committee's study and agency oversight duties for the interim, which effectively runs from June 2021 through September 15, 2022. It includes:

- the committee's decisions on the level of involvement it will have in its various responsibilities, including a table summarizing the decisions on Page 9;
- a schedule of planned meeting dates for the rest of the interim, on Page 9;
- a schedule of planned activities for each meeting, in Appendix B on Page 13; and
- the study tasks and anticipated timelines for each of the Committee's studies, in Appendix C beginning on Page 17.

ASSIGNED STUDIES

The 2021 Legislature approved 28 interim study resolutions, and the Legislative Council assigned those study requests to the various interim committees on May 24. Following is a description of each study resolution assigned to the Children and Families Committee, in order of each study's ranking in the post-session poll of legislators.

- Senate Joint Resolution 14, which ranked fourth in the post-session poll, calls for a study of the state's publicly funded mental health system, with particular attention to reviewing the ways in which it has changed in recent years and identifying any gaps in the system.
- House Joint Resolution 45, which ranked 10th, calls for a study of the factors that trigger both a child's removal from the home in suspected cases of abuse or neglect and the reunification of families after removal. Among other things, the study is to look at how court expectations and the availability of quality foster parents and effective legal representation may affect case outcomes and at how the federal Family First Prevention Services Act and Indian Child Welfare Act may affect removals and reunifications.



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

- House Joint Resolution 44, which ranked 11th, requests a study of the state's foster care system. The study is to look at requirements for and barriers to becoming a foster parent, the legal standing and rights of foster parents, foster care funding sources, and foster care matters related to adoption and to the Indian Child Welfare Act.

- House Joint Resolution 35, which ranked 12th, calls for a review of the children's mental health system, with a focus on the use of out-of-state facilities for treatment of some children.

- House Joint Resolution 39, which ranked 17th, calls for a study of the use of involuntary commitments for people with Alzheimer's disease or other dementias and alternatives to placing those individuals at the Montana State Hospital.

Statutorily Required Study

The 2021 Legislature also passed House Bill 39, which requires the Committee to review the preliminary results of district court pilot projects designed to improve outcomes in child abuse and neglect cases. The pilot projects involve:

- earlier show-cause hearings; and
- facilitated prehearing conferences that bring parents, attorneys, and DPHHS together before the first hearing in a case so they can discuss placement, visitation, and treatment options.

If the Committee determines that the pilot project results appear promising, the presiding officer must appoint a working group to look into how the approaches could be implemented more widely. The working group -- which must include at least two Committee members -- would make recommendations to the Committee for potential legislation in the 2023 legislative session.

Anatomy of a Study

In general, an interim study follows a basic pattern as shown below.



The first phase of the study is carried out over the first few meetings of the interim, when the Committee:

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

In the second phase, the Committee spends a meeting or two narrowing the focus of the study. Members identify topics or questions they'd like to analyze further. This phase helps members concentrate on the issues they consider to be of the greatest importance and obtain any additional information needed to make final recommendations.

During the final stage, members review and decide on options for action. Potential solutions, including legislation, are usually reviewed and refined at multiple meetings before the Committee takes final action.

Committee Decision: Approach to Study Assignments

The amount of time that can be devoted to a study is primarily influenced by the amount of Committee time available and the Committee's level of interest in the study. The Committee considered the four approaches outlined on Page 11 for its study assignments, ranging from no action at all to significant Committee involvement.

The Committee's six study assignments fell broadly under two general topics – mental health and child protective services. Committee members decided to split their time nearly evenly between those topics, allocating about 45% of their meeting time to the mental health studies and 38% of their time to the CPS studies.

Committee members chose to have significant involvement in the SJR 14 study of the adult mental health system, noting the large amount of public comment they received about the challenges facing that system. They decided on moderate involvement in the HJR 35 study of the children's mental health study and minimal involvement in the HJR 39 study of involuntary commitments.

Members chose moderate involvement in the two CPS-related studies, which will look at the foster care system and at the factors that trigger a child's removal from the home and family reunification after the removal. They also agreed to reserve 6 hours for the HB 39 study of judicial pilot projects, in case information received in September shows the results are promising and leads to appointment of a working group.

The table on Page 9 shows the amount of meeting time the Committee allocated to each study. Appendix C, beginning on Page 17, shows which of the study tasks from each study resolution will be undertaken and which were eliminated or scaled back.

AGENCY OVERSIGHT

The Department of Public Health and Human Services has nearly 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 Intensive Behavior Center in Boulder, a secure, 12-bed facility for seriously developmentally disabled individuals who are committed to the facility by a court;
- the Montana State Hospital at Warm Springs and its Forensic Mental Health Facility at Galen, 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 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, the Montana Veterans' Home in Columbia Falls, and the just-opened Southwest Montana Veterans' Home in Butte. The facilities are open to veterans and spouses who need skilled nursing care or suffer from Alzheimer's disease.

Agency Oversight Duties

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

Administrative Rule Review

Interim committees are required to review administrative rule proposals of the agencies for which they have oversight responsibility. The Committee's legal staff reviews DPHHS rulemaking notices and provides regular updates, noting any rules that may be out of compliance with the Montana Administrative Procedure Act (MAPA). That law allows interim committees to, among other things:

- 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;
- require an economic impact statement relating to a rule adoption; and
- poll the Legislature by mail to determine if a proposed rule is consistent with legislative intent.

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. Senate Bill 82, passed in 2021, allows the speaker of the House and the Senate president to break a tie vote on any rule objection being considered by an interim committee.

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 laws governing the agency's operation and programs; and
- experiences that Montanans have had with the agency that may be improved through legislative action.

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, to see if the councils or reports should be revised or repealed. The law was modified in 2017 to require a review only if requested by any committee member.

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.

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. Newly required reports include, in parentheses, the 2021 legislation that created the reporting requirement.

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	Annually
Children's Mental Health Outcomes	Annually
Suicide Reduction Plan	Every Two Years
TANF Parents as Scholars Program	Annually
Medicaid Expansion Participation, Demographics, and Funding	Quarterly
Medicaid Expansion Workforce Development Participation/Employer Grants	Annually
Report on Medicaid-Funded Abortions (HB 2)	One Time
DPHHS Updates on Collecting Medicaid Provider Expenditure Data (HB 155)	Quarterly
Status of Individuals Placed from MDC into the Community	Annually
Implementation of DD Crisis Response Services (HB 691)	One Time
Health Care Provider Task Force (HB 495)	One Time
Interim Budget Committee Information: Staff and Agency Reports (HB 497)	Periodically
Implementation of Secure Data Warehouse Project and Data Sharing	Quarterly
Oversight of Private Alternative Adolescent Residential Programs	Unspecified
Prescription Drug Registry Report	Every Two Years

Medical Marijuana Reports

In 2011, the Legislature created a statutory requirement for the Committee to monitor the medical marijuana program operated by DPHHS by receiving reports on provider, cardholder, and physician statistics and activities. The monitoring requirement was expanded over the years to include reports on inspections of medical marijuana providers, the seed-to-sale tracking system, and other issues related to the program.

In 2021, lawmakers passed HB 701 to revise the recreational marijuana program that was approved by voters in 2020. HB 701 also consolidated administration of the medical and recreational marijuana programs under the Department of Revenue and transferred legislative oversight to the Economic Affairs Interim Committee. However, that change in oversight responsibility won't occur until January 2022.

Medicaid Waiver Review

DPHHS sometimes undertakes Medicaid research and demonstration projects that require waivers of federal Medicaid law. Under 52-2-215, MCA, the agency must present proposals for these types of waivers to the Committee "for review and comment at a public hearing" before submitting the application to the federal government. The agency also must present final, approved waivers to the Committee.

DPHHS will seek a waiver this year to carry out the governor's Healing and Ending Addiction through Recovery and Treatment (HEART) behavioral health initiative. Federal action is also pending on the state's waiver request to continue the Medicaid expansion program and implement the work requirements approved by the 2019 Legislature.

Ballot Initiative Review

The 2021 Legislature passed House Bill 651, which requires each interim committee to review and decide whether to place language in the initiative's signature-gathering petition that indicates whether the committee supports or opposes putting the measure on the ballot. The committee must conduct the review and make its decision within 14 days of receiving the final text of the proposed initiative and the ballot statements that have been approved by the attorney general. This new requirement may result in additional committee meetings to meet the 14-day timeline. HB 651 specifically allows committees to meet by electronic means to conduct the review.

Other Interim Monitoring

Interim committees also may take up other matters related to the agencies and topic areas they oversee. The Committee may request regular updates on DPHHS programs and activities, request information on implementation of newly passed legislation, or review other health and human services topics as the need arises.

Other Potential Activities

House Bill 497 created several interim budget committees. The DPHHS-related interim budget committee invited the committee to meet jointly with that committee during its quarterly meetings.

Committee Decisions: Agency Oversight

The Committee plans to generally have a moderate level of involvement in most of its agency oversight duties. Members made the following decisions specific to monitoring activities.

- **Administrative Rule Review:** The Committee will have a moderate level of involvement, with members receiving regular written summaries of proposed and adopted administrative rules in between their meetings and focusing their attention during meetings only on rules of concern.
- **HB 142 Review:** The Committee will have a minimal level of involvement in this task, with members receiving the statutorily required reports in their meeting packets throughout the interim. Members also will review, on their own, a list of statutorily required advisory councils to decide if they'd like to review any council in more depth during a meeting.
- **Review of Draft Legislation:** The Committee will have minimal involvement in this task, scheduling time at its final meeting to review proposed agency legislation for authorization of early drafting.
- **Medical Marijuana Reports:** The Committee decided to ask the Economic Affairs Interim Committee to immediately take over further review of required reports, rather than waiting until January 1 as scheduled under HB 701.
- **Medicaid Waiver Review:** The Committee decided to hold a videoconference meeting in August to review the waiver application for the HEART initiative, rather than holding a full-day meeting in person.
- **Other Agency Monitoring:** The Committee decided to have a moderate level of involvement in other agency monitoring duties, including regular updates from DPHHS on general agency activities.
- **Interim Committee Coordination:** The Committee will hold its March 2022 meeting during the same week as the interim budget committee that monitors the DPHHS budget. Members also agreed to foster interim committee coordination by:
 - having interested members attend the budget committee meetings via electronic means; and
 - hearing regular reports from the two Committee members who also serve on the interim budget committee for DPHHS and also hearing updates on activities of the Law and Justice Interim Committee (LJIC) from a member who also serves on that committee, when the LJIC activities overlap with the topic areas under the Committee's jurisdiction.

Committee Decision: Meeting Schedule

The Committee's budget of \$43,400 will cover approximately 10 meeting days. The Committee agreed to the following meeting schedule.

Day	Date
Tuesday	Aug. 10, 2021
Wednesday	Sept. 22, 2021
Monday-Tuesday	Nov. 15-16, 2021
Thursday-Friday	Jan. 20-21, 2022
Tuesday	March 15, 2022*
Thursday	May 12, 2022
Monday	June 27, 2022
Thursday-Friday	Aug. 25-26, 2022

* The DPHHS Interim Budget Committee meets March 16.

Committee Decision: Allocation of Committee Time

The Committee decided to allocate the following amounts of time to each of its activities this interim.

Activity	Study Rank	Options for Committee Involvement/Meeting Hours			
		None	Minimal	Moderate	Significant
SJR 14: Mental Health System	4				21.25
HJR 35: Children's Mental Health	12			10	
HJR 39: Dementia-Related Involuntary Commitments	17		3		
HJR 44: Foster Care System	11			10.75	
HJR 45: Removal/Reunification Triggers	10			12	
HB 39: Prehearing Conference Review	Required				6
Administrative Rule Review	Required			1.75	
Agency Legislation	Required		.5		
Other Agency Oversight (Required Reports, Agency Updates, Topics of Interest)	Required			10	
HB 142 Review	Optional		.25		
Medical Marijuana Monitoring	In Flux	0			
Total			3.75	44.5	27.25
					75.5

APPENDIX A: COMMITTEE DECISIONS ON STUDY AND OVERSIGHT ACTIVITIES

The table below reflects the decisions that Committee members made at their June 2021 organizational meeting regarding their level of involvement in their various duties. The table also shows the scope of activities that are anticipated at each level of committee involvement.

LEVEL OF COMMITTEE INVOLVEMENT				
	None: Medical Marijuana	Minimal Involvement: HJR 39 Agency Legislation, HB 142 Review	Moderate Involvement: HJR 35, HJR 44, HJR 45 Rule Review, Agency Monitoring	Significant Involvement: SJR 14, HB 39
Assigned Studies	Choose not to carry out one or more study	<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 three or four study topics as identified by the Committee Panel discussions or individual speakers on the 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 Committee's request Panel discussions or individual speakers on all topics in the study resolution Additional items as identified by the Committee
Administrative Rule Review			<ul style="list-style-type: none"> Receive brief written descriptions of each rule prior to each meeting Legal staff will note issues of concern 	
Agency Legislation		<ul style="list-style-type: none"> DPHHS presentation 		
Agency Monitoring			<ul style="list-style-type: none"> Agency presentation on three or four statutorily required reports; other reports provided only in writing DPHHS updates at each meeting Additional updates on two or three topics identified by Committee members 	
Medical Marijuana Monitoring	Refer to EAIC			
HB 142 Review		<ul style="list-style-type: none"> Review a list of statutory advisory councils to determine if any should be reviewed for changes 		

APPENDIX B: SCHEDULE OF PLANNED ACTIVITIES

The table below shows the general activities planned for each meeting. The schedule was revised to reflect the Committee's September 2021 decision to focus on the mental health studies in the first half of the interim and the child protective services study in the second half of the interim.

Meeting Date	Activity	Tasks/Policy Decisions
June 2021	➤ Organizational	<ul style="list-style-type: none"> ◆ Elect officers ◆ Review work plan, study assignments, and agency monitoring duties ◆ Approve meeting dates
	➤ Agency Monitoring	<ul style="list-style-type: none"> ◆ Administrative rule review ◆ DPHHS update ◆ Required reports: Medical marijuana program
July 2021	➤ Agency Oversight	<ul style="list-style-type: none"> ◆ Explanation/review of MAR 37-944 and MAR 37-949
	➤ Organizational	<ul style="list-style-type: none"> ◆ Review/discuss revised study activities
August 2021	➤ Agency Oversight	<ul style="list-style-type: none"> ◆ Review and take comment on HEART initiative waiver application
	➤ Organizational	<ul style="list-style-type: none"> ◆ Review and adopt work plan
September 2021	➤ Assigned Studies	<ul style="list-style-type: none"> ◆ SJR 14: Adult Mental Health System <ul style="list-style-type: none"> ○ Overview of eligibility, services, and funding ○ Overview of recent funding changes ◆ HJR 35: Children's Mental Health System <ul style="list-style-type: none"> ○ Overview of eligibility, services, and funding ○ Overview of recent funding changes ○ Update on the CSCT program ○ Required report: Out-of-state placement of high-risk children ◆ HJR 39: Involuntary Commitment of Individuals with Dementia <ul style="list-style-type: none"> ○ Overview of involuntary commitment standards and numbers ◆ HB 39: Judicial Pilot Project Review <ul style="list-style-type: none"> ○ Report on results of pilot projects ○ Committee decision on working group
	➤ Agency Oversight	<ul style="list-style-type: none"> ◆ Administrative rule review ◆ DPHHS update ◆ Required report: Medicaid-funded abortions
	➤ Interim Committee Coordination	<ul style="list-style-type: none"> ◆ Committee member updates on Law and Justice Interim Committee and Section B Interim Budget Committee items of interest
November 2021	➤ Assigned Studies	<ul style="list-style-type: none"> ◆ SJR 14: Adult Mental Health System <ul style="list-style-type: none"> ○ Provider panel: Impact of funding reductions on services ○ Provider types and payment models ○ Consumer and advisory council perspectives ○ Crisis services and diversion from criminal justice system ◆ HJR 35: Children's Mental Health System <ul style="list-style-type: none"> ○ Provider panel: Impact of funding reductions on services ○ Factors affecting in-state vs. out-of-state placement ○ Preventive services system, including school health centers ○ Consumer and advisory council perspectives

Meeting Date	Activity	Tasks/Policy Decisions
November 2021 (continued)	<ul style="list-style-type: none"> ➤ Assigned studies ➤ Agency Oversight ➤ Interim Committee Coordination 	<ul style="list-style-type: none"> ◆ HJR 39: Involuntary Commitment of Individuals with Dementia <ul style="list-style-type: none"> ○ Alternatives to involuntary commitment ○ Identification of legislative options or other recommendations ◆ All Mental Health Studies: Committee direction to staff on additional research/potential legislation ◆ Administrative rule review ◆ DPHHS update ◆ Required report: HELP-Link activities ◆ Committee member update on Law and Justice Interim Committee items of interest
January 2022	<ul style="list-style-type: none"> ➤ Assigned Studies ➤ Agency Oversight ➤ Interim Committee Coordination 	<ul style="list-style-type: none"> ◆ SJR 14: Adult Mental Health System <ul style="list-style-type: none"> ○ Gaps in the system ○ Professional licensing requirements ○ Higher education capacity to meet need for clinicians ○ Committee review of requested information and identification of further research/potential legislation ◆ HJR 35: Children's Mental Health System <ul style="list-style-type: none"> ○ Gaps in the system and ways to eliminate them ○ Committee review of requested information and identification of further research/potential legislation ◆ HJR 39: Involuntary Commitment of Individuals with Dementia <ul style="list-style-type: none"> ○ Review of committee-requested legislation or other information ◆ Administrative rule review ◆ DPHHS update ◆ Required reports: Child Abuse and Neglect Review Commission recommendations; Child and Family Ombudsman report ◆ Committee member updates on Law and Justice Interim Committee and Section B Interim Budget Committee items of interest
March 2022	<ul style="list-style-type: none"> ➤ Assigned Studies 	<ul style="list-style-type: none"> ◆ SJR 14: Adult Mental Health System <ul style="list-style-type: none"> ○ Review of additional information and/or draft legislation ○ Committee direction on final study steps ◆ HJR 35: Children's Mental Health System <ul style="list-style-type: none"> ○ Review of additional information and/or draft legislation ○ Committee direction on final study steps ◆ HJR 39: Involuntary Commitment of Individuals with Dementia <ul style="list-style-type: none"> ○ Completion of study ◆ HJR 44: Foster Care System <ul style="list-style-type: none"> ○ Foster parent requirements, expectations, and barriers ○ Foster parent supply vs. demand ○ ICWA-related considerations ◆ HJR 45: Child Removal/Family Reunification Triggers <ul style="list-style-type: none"> ○ Overview of child removal and family reunification criteria ○ Judicial system decision-making process/expectations for reunification, including weight given to parental addiction and number of previous removals ○ ICWA-related considerations

Meeting Date	Activity	Tasks/Policy Decisions
March 2022 (continued)	<ul style="list-style-type: none"> ➤ Assigned Studies ➤ Agency Oversight ➤ Interim Committee Coordination 	<ul style="list-style-type: none"> ◆ HB 39: CPS Judicial Pilot Projects <ul style="list-style-type: none"> ○ Working group report and recommendations ○ Committee direction to staff on next steps ◆ Administrative rule review ◆ DPHHS update ◆ Potential joint meeting with Section B Interim Budget Committee
May 2022	<ul style="list-style-type: none"> ➤ Assigned Studies ➤ Agency Oversight ➤ Interim Committee Coordination 	<ul style="list-style-type: none"> ◆ HJR 44: Foster Care System <ul style="list-style-type: none"> ○ Legal standing of foster parents ○ Rights of foster parents ◆ HJR 45: Child Removal/Family Reunification Triggers <ul style="list-style-type: none"> ○ Average length of removals and impact on reunification ○ Legal representation considerations ○ Impact of Family First Prevention Services Act ◆ HB 39 Study: CPS Judicial Pilot Projects <ul style="list-style-type: none"> ○ Research and presentations as requested by Committee ◆ All CPS Studies <ul style="list-style-type: none"> ○ Committee direction to staff on final study steps ◆ Administrative rule review ◆ DPHHS update ◆ Committee member update on Law and Justice Interim Committee items of interest
June 2022	<ul style="list-style-type: none"> ➤ Assigned Studies ➤ Agency Oversight ➤ Interim Committee Coordination 	<ul style="list-style-type: none"> ◆ CPS Studies: HJR 44, HJR 45, HB 39 <ul style="list-style-type: none"> ○ Review of additional information and/or draft legislation ◆ Mental Health Studies: SJR 14, HJR 35, HJR 39 <ul style="list-style-type: none"> ○ Review of any remaining draft legislation ◆ All Remaining Studies: <ul style="list-style-type: none"> ○ Review of draft final reports ○ Committee direction on legislation and reports ◆ Administrative rule review ◆ DPHHS update ◆ Required reports: DD crisis response services, Multidisciplinary Health Care Provider Task Force recommendations (if available) ◆ Committee member updates on Section B Interim Budget Committee items of interest
August 2022	<ul style="list-style-type: none"> ➤ Assigned Studies ➤ Agency Oversight 	<ul style="list-style-type: none"> ◆ All Remaining Studies: <ul style="list-style-type: none"> ○ Review and approval of Committee legislation ○ Review and approval of final reports ◆ Administrative rule review ◆ DPHHS update ◆ Review of agency legislation and authorization for early drafting ◆ Required reports: Suicide prevention plan, out-of-state placement of high-risk children, children's mental health outcomes, other reports as needed

APPENDIX C: STUDY ASSIGNMENTS AND TASKS

The tables in this appendix reflect the tasks outlined in each study resolution, show which of the tasks will be carried out, indicate the anticipated activities for each task, and estimate the amount of committee time that will be scheduled for the activities. Items that are stricken indicate changes made to accommodate the amount of meeting time the Committee decided to spend on each study.

The meeting dates at which various activities will be carried out was revised in September 2021 to reflect the committee's decision to focus on the mental health studies in the first half of the interim and on the child protective services studies during the second half of the interim.

SJR 14: Adult Mental Health System

Level of Involvement: Significant

Study Tasks Listed in Resolution	Meeting Date/Activities	Committee Time
(1) Review the ways in which the system has changed, including how funding reductions in recent years have affected services	September 2021 through January 2022 Staff Research Papers Panel Presentations	5 hours
(2) Determine whether and where gaps exist in the system	January 2022 Panel Presentations Committee Discussions	2.5 hours
(3) Review how the system diverts people from the criminal justice system	November 2021 Staff Research Papers Panel Presentations Public Comment	2.5 hours
(4) Review the adequacy of the higher education system to appropriately train and educate clinicians needed to meet the behavioral health needs of Montanans	January 2022 Panel Presentations	1.75 hours
(5) Determine whether the Legislature or executive branch should address any gaps in services	January and March 2022 Public Comment Committee Discussions	1.5 hours
(6) Review information, request additional research, make recommendations, develop legislation as necessary	January through August 2022 Staff Research Papers Panel or Speaker Presentations Public Comment	8 hours
Total		21.25 hours

HJR 35: Children's Mental Health System

Level of Involvement: Moderate

Study Tasks Listed in Resolution	Meeting Date/Activities	Committee Time
(1) Determine how children become involved in the mental health system, including children who are involved in the child protective services and juvenile justice systems	September 2021 Staff Research Paper Panel Presentation	1 hour
(2) Determine the reasons some children are placed in psychiatric or other facilities located outside of Montana	November 2021 Panel Presentation	.75 hours
(3) Determine whether gaps exist in Montana's service system that cause children to be sent out of state for services	November 2021 and January 2022 Panel Presentation Public Comment	.75 hours
(4) Review the system of preventive services that exist in Montana that allow children to avoid placement in in-state or out-of-state psychiatric facilities	September and November 2021 Staff Research Paper Panel Presentation	1.5 hours
(5) Determine steps the Legislature or executive branch could take to improve the system of children's mental health services to avoid the placement of children in institutional facilities and meet their needs in a less restrictive setting	November 2021 and January 2022 Panel Presentation Public Comment	1.5 hours
(6) Review information, request additional research, make recommendations, develop legislation as necessary	March through August 2022 Staff Research Papers Panel or Speaker Presentations Public Comment	5 hours
	Total	10.5 hours

HJR 39: Involuntary Commitment of Individuals with Dementia

Level of Involvement: Minimal

Study Tasks Listed in Resolution	Meeting Date	Committee Time
(1) Review the number of people with Alzheimer's disease or other dementias who are committed to the Montana State Hospital	September or November 2021 Staff Research Paper DPHHS Presentation	.25 hour
(2) Review the alternative settings for placement of individuals who have dementia and significant behavioral issues	September or November 2021 Panel Presentation	.5 hour
(3) Determine gaps in availability of alternative settings and examine measures that could alleviate the gaps	November 2021 Panel Presentation Public Comment	1 hour
(4) Examine other steps that could reduce or eliminate the use of involuntary commitment to the Montana State Hospital	November 2021 Staff Research Paper Panel Presentation	.75 hours
(5) Review information, request additional research, make recommendations, develop legislation as necessary	January and March 2022 Staff Research Papers Panel or Speaker Presentations Public Comment	1.5 hours
Total		3 hours

HJR 44: Family Foster Care System

Level of Involvement: Moderate

Study Tasks Listed in Resolution	Meeting Date	Committee Time
(1) Examine the current requirements for becoming a foster parent, the barriers to becoming a foster parent, and whether additional foster parents are needed to provide appropriate care to children who are removed from their homes	March 2022 Staff Research Paper Panel or Speaker Presentations	2 hours
(2) Examine the ongoing performance requirements for licensed foster parents and the ethical expectations for foster parents and their interactions with children in their care, the children's parents, and DPHHS	March 2022 Panel or Speaker Presentations Public Comment	1 hour
(3) Examine the degree to which foster parent input on a child's physical and mental state is considered	November 2021 and January 2022 Panel or Speaker Presentations Public Comment	.75 hours
(4) Review the legal standing of foster parents in the court system and whether that standing needs to be clarified	May 2022 Staff Research Papers Panel or Speaker Presentations Public Comment	.75 hours
(5) Examine the rights of foster parents and whether the rights should be formalized in a Foster Parents' Rights Act	May 2022 Staff Research Papers Public Comment	.75 hours
(6) Examine foster care matters related to the Indian Child Welfare Act	March and May 2022 Staff Research Papers Panel or Speaker Presentations	1 hour
(7) Examine the role of foster care issues in the adoption system	March or May 2022 Panel or Speaker Presentations Public Comment	4 hour
(8) Review information, request additional research, make recommendations, develop legislation as necessary	March through August 2022 Staff Research Papers Panel or Speaker Presentations Public Comment	5.25 hours
	Total	10.75 hours

HJR 45: Child Removal and Family Reunification Triggers

Level of Involvement: Moderate

Study Tasks Listed in Resolution	Meeting Date	Committee Time
(1) Review the criteria used to make decisions regarding a child's removal from and return to the home and whether the criteria are reasonable	March 2022 Staff Research Paper Panel or Speaker Presentations	2.5 hours
(2) Review whether the availability of quality foster parents in a geographic area leads to quicker removals or slower reunifications	November 2021 Staff Research Paper Panel or Speaker Presentations	.5 hours
(3) Review whether child protection specialists actively consider ways to prevent removal of children from the home	March 2022 DPHHS Presentation	.75 hours
(4) Review the amount of time that elapses between a child's removal from and return to the home and how the length of the removal affects reunification	May 2022 Staff Research Paper Panel or Speaker Presentations	.75 hours
(5) Review expectations in the court system that may lead to an unreasonably early return and reunification	March 2022 Panel or Speaker Presentations	.5 hours
(6) Examine the weight given to past removals, the number of removals, and their effect on the children involved	March 2022 Panel or Speaker Presentations	.5 hours
(7) Review how the previous criminal or addictive history of the parent affects reunification decisions	March 2022 Panel or Speaker Presentations	.75 hours
(8) Review how the availability of effective legal representation affects outcomes and timeframes for reunification	May 2022 Panel or Speaker Presentations	1 hour
(9) Review whether the needs and best interest of the child are being considered in decisions involving removal and reunification	March 2022 Panel or Speaker Presentations	.75 hours
(10) Look at the impacts of the Family First Prevention Services Act and Indian Child Welfare Act on removal and reunification decisions	March and May 2022 Panel or Speaker Presentations	1 hour
(11) Review information, request additional research, make recommendations, develop legislation as necessary	March through August 2022 Staff Research Papers Panel or Speaker Presentations Public Comment	4.25 hours
Total		12 hours

HB 39: CPS Judicial Pilot Projects

Level of Involvement: Significant

Study Tasks Listed in Bill	Meeting Date/Activities	Committee Time
(1) Hear a report from the Office of the Court Administrator and from participating district court judges on the results of the pilot project no later than Sept. 30, 2021	September 2021 Staff Research Paper Panel Presentation	1 hour
(2) If appropriate, appoint a working group that includes at least two Committee members and other members as specified in HB 39	September 2021	--
(3) Hold working group meetings to determine whether the pilot projects could be replicated and whether legislative changes would be needed	October 2021 through February 2022	--
(4) Hear working group recommendations	March 2022 Staff Research Paper Panel Presentation	1 hour
(5) Continued Committee action if needed: additional research and development of legislation	March through August 2022 Staff Research Papers Panel or Speaker Presentations Public Comment	4 hours
Total		6 hours