



CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

67th Montana Legislature

SENATE MEMBERS

Chris Friedel
Jen Gross
Theresa Manzella
Mary McNally

HOUSE MEMBERS

Mary Caferro
Jennifer Carlson
Jane Gillette
Dennis Lenz
Ed Stafman
Danny Tenenbaum

COMMITTEE STAFF

Fong Hom - Secretary
Sue O'Connell - Research Analyst
Alexis Sandru - Attorney

MINUTES LOG

January 21, 2022
Room 317/Zoom
Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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MEMBERS PRESENT IN PERSON:

Rep. Ed Stafman, Chair (D)
Rep. Dennis Lenz, Vice Chair (R)
Rep. Mary Caferro (D)
Rep. Jennifer Carlson (R)
Sen. Chris Friedel (R)
Rep. Jane Gillette (R)
Rep. Danny Tenenbaum (D)

MEMBERS PRESENT VIA ZOOM:

Sen. Jen Gross (D)
Sen. Theresa Manzella (R)
Sen. Mary McNally (D)

STAFF PRESENT:

Sue O'Connell, Research Analyst
Alexis Sandru, Attorney
Fong Hom, Secretary

AGENDA (Attachment 1)

VISITORS' LIST (Attachment 2)

RECONVENE

08:14:05 Presiding Officer Stafman reconvened the meeting at 8:14 a.m.

MENTAL HEALTH STUDIES: SJR 14 AND HJR 35

Department of Public Health and Human Services Mental Health System Plans/Provider Rate Study

08:15:52 Adam Meier, Director, Department of Public Health and Human Services

2023 Biennium Budget Information

Revenue Replacement Presentation

08:22:58 Quinn Holzer, Assistant Director, Legislative Fiscal Division, discussed the federal American Rescue Plan Act (ARPA) funds appropriated through HB 632. **(Exhibit 14)**

Use of Medicaid Enhanced FMAP Funds

08:28:20 Josh Poulette, Legislative Fiscal Analyst, discussed the \$18 million available to DPHHS due to general fund savings accrued because of an enhanced Federal matching rate for Medicaid that was authorized through the federal Families First Coronavirus Response Act.

Consumer Perspective

08:31:15 Bella Nyman gave a presentation on the need for mental health services for the youth of Montana.

Public Comment on Mental Health Studies

08:35:09 Matt Kuntz, Executive Director, NAMI Montana

08:38:01 Katherine Buckley-Patton, Beaverhead County Mental Health Local Advisory Council, Dillon

Committee Questions of Speakers and the Public

08:44:49 Rep. Gillette asked Director Meier about the status of the 988 suicide prevention hotline rollout and the funding sources that will support that. She also asked for a copy of the contract for the provider rate study and any available outline of deliverables for the contractor.

08:48:26 Rep. Gillette asked Mr. Holzer to define the Economic Stabilization and Transformation funding and its uses.

08:50:00 Rep. Carlson asked Director Meier about the workforce shortage.

08:59:17 Rep. Caferro asked Ms. Nyman to explain the impact that her co-workers had on her life and her experience, where would she be today without those workers, and the workforce shortage impacts she sees on the care for children.

09:03:39 Rep. Caferro asked Director Meier about the department's plans for using the money that was saved from the enhanced FMAP funds to contract for a facilities study, including the cost of the study, whether it will be done by an in-state or an out-of-state contractor, and whether he has asked facility staff about their ideas for improving operations.

09:13:53 Sen. Friedel asked Director Meier to explain how long the issues raised by Rep. Caferro have been going on.

09:14:45 Rep. Stafman asked Director Meier when the committee will be receiving a final report on the provider rate study and how the department is going to spend the \$18 million that has been set aside due to the enhanced Medicaid matching rate.

09:16:54 Sen. McNally asked Director Meier why the department isn't taking quick action on matters related to the lack of services and workforce issues.

09:20:21 Rep. Stafman asked Director Meier how much of the \$18 million is currently encumbered, either spent or obligated to be spent on the various studies.

09:21:57 Rep. Gillette asked Director Meier about the ARPA 602 Funding, particularly the economic stabilization part.

09:24:15 Rep. Carlson asked Rep. Caferro about the one-time only or bonus money for DD services and the mental health providers.

09:25:36 Rep. Caferro responded.

09:27:46 Director Meier commented.

09:28:21 Rep. Caferro commented on ARPA funds.

BREAK (reconvened at 9:40 a.m.)

SENATE JOINT RESOLUTION 14 STUDY: ADULT MENTAL HEALTH

Workforce Recruitment and Retention

09:42:34 Mary Windecker, Behavior Health Alliance of Montana, gave a presentation on the workforce shortage in Montana. [\(Exhibit 15\)](#)

09:56:45 Adam Meier, Director of DPHHS, discussed ARPA Health Care Workforce Development Efforts.

Workforce Education and Training

Montana University System

10:05:19 Helen Thigpen, Executive Director for Government Relations and Public Affairs, University System, gave a presentation on workforce training in mental health in the University System.

10:09:30 Dr. Brock Tessman, Deputy Commissioner for Academic Research and Student Affairs, gave a presentation on program offerings across the Montana University System including the number of graduates and the types of graduates that are produced to support the mental health needs of the state. He also gave a presentation on the ongoing initiatives that are emerging throughout the system.

Chief Dull Knife College

10:22:23 Bill Briggs, Academic Dean, Chief Dull Knife College, on the Northern Cheyenne Reservation, gave a presentation on a program that began in 2017 for behavioral health aides.

Presentation on Blackfeet Tribal Matching Grant

10:28:30 Ms. O'Connell said that Heidi Bird, Administrator of Behavioral Health, Blackfeet Tribal Health, was unavailable to give her presentation.

Montana Office of Rural Health and Area Health Education Center

10:29:11 Kailyn Mock, Director, Montana Office of Rural Health & Area Health Education Center [\(Exhibit 16\)](#)

10:36:46 Beth Ann Carter, Assistant Director, Behavioral Health Workforce
(See [Exhibit 16](#))

Professional Licensure Options

10:44:13 Lucy Richards, Executive Officer, Board of Behavioral Health, Department of Labor and Industry, gave a presentation on the licensing process and different licensure model across the U.S. ([Exhibit 17](#))

Committee Questions of Speakers and the Public

11:00:44 Rep. Carlson asked Director Meier for his take on Ms. Windecker's presentation, about ARPA funds for the relocation costs for healthcare workers, and about the SNAP 50/50 Program, including the three counties that offer the SNAP 50/50 Program.

11:09:09 Rep. Tenenbaum asked Director Meier if the administration plans on using ARPA funds to help out the sector of the healthcare industry for Montana's senior citizen.

11:12:18 Rep. Tenenbaum asked Ms. Richards about universal licensing in Arizona and whether she's seen any effects of the Arizona legislation on the workforce shortage in Arizona.

11:18:24 Rep. Stafman asked Ms. Richards to explain reciprocity in terms of admittance to practice.

11:21:40 Rep. Gillette asked Ms. Windecker about her thoughts on compacts and reciprocity.

11:23:59 Rep. Gillette asked Mr. Tessman if a mechanism exists to ensure that the recommendations from the work group reaches the program directors.

11:26:23 Rep. Gillette asked Mr. Briggs if the college's program was developed because of the 2019 legislation that authorized behavioral health aides.

11:29:21 Rep. Gillette asked Ms. Mock about whether any models exist in mental health that could be adapted to train mental health parole officers.

11:31:26 Sen. Friedel asked Ms. Windecker about the auditing group assessing a \$1.2 million fine to Rimrock because they followed the wrong rules. He also asked about who does the audit and how often the state conducts audits.

11:36:05 Rep. Stafman asked Ms. Windecker what organizations would accredit mental health providers to entitle them to deemed status to avoid additional audits.

11:41:03 Rep. Stafman asked Director Meier if there were any plans or an ongoing needs assessment that might give more direction on whether a CCBHC would be helpful.

11:42:40 Rep. Stafman asked Ms. Windecker and Director Meier about the empty bed rate.

11:45:57 Rep. Carlson asked Mr. Tessman to clarify his statement on the number of graduating LPNs and to comment on Mr. Kuntz' suggestion regarding the PhD psychology program switching over to a clinical program.

11:50:04 Rep. Stafman asked Mr. Tessman about plans for Montana State University to develop a clinical psychology program.

11:54:13 Rep. Caferro asked that Mr. Tessman prepare a document explaining what it would take to convert the PhD psychology program into a clinical psychology program.

11:55:25 Rep. Gillette asked Director Meier about the surplus in the traditional Medicaid program.

11:57:54 Rep. Stafman asked Director Meier if he would look into the deemed status question.

11:58:11 Sen. McNally asked Director Meier about the ARPA Economic Transformation Commission funding that is intended for business innovation and has not been spoken for. She is wondering if the administration would consider steering any of that funding towards addressing some of the licensing challenges that the committee has heard.

Public Comment on Mental Health Studies

12:00:30 Tyler Steinebach, Chair, Western Service Area Authority

12:08:17 Mitzi Anderson, Whitefish

LUNCH BREAK (reconvened at 1:15 p.m.)

Public Comment

13:15:54 Mitzi Anderson suggested that the committee propose a bill to deal with costs associated with people who suffer from schizophrenia or bipolar disorders.

13:20:34 Jean Branscum, CEO, Montana Medical Association

Montana State Hospital Staffing and Patient Care Concerns

13:28:43 Sen. Sweeney spoke on the concerns of staffing and patient care at the Montana State Hospital.

13:39:51 Jeremy Hoscheid, Executive Director, Mental Disabilities Board of Visitors

13:45:05 Robin Haux, Labor Program Director, Montana Nurses Association

Public Comment on Montana State Hospital Staffing and Patient Care

13:51:36 Beverly Beck, Deer Lodge

13:56:45 Jennifer Weigand, Field Consultant for the Montana Federal of Public Employees

13:59:56 Hope Hollingsworth, Travel Nurse

14:04:30 Derek O'Brien, Social Worker, State of Montana

14:09:13 Charity Ruff, RN, Veterans Administration

14:13:14 George Sich, Assistant Clinical Services Manager, Montana State Hospital

14:16:59 Tami Thiessen, Nurse Manager, Montana State Hospital

14:21:39 Tom Glovan, Psych Tech

14:24:29 Debbie Mehring, Social Worker

14:28:03 Olivia Butori

14:30:28 Larissa Holbrook, President of the Independent Union of the Montana State Hospital

Response from Department of Public Health and Human Services

14:35:42 Director Meier discussed the Montana State Hospital staffing shortage and license reviews.

Committee Questions

14:47:21 Sen. Friedel asked Director Meier for a breakdown of the per day costs of a traveling nurse. He also asked Director Meier to look into whether the Certified Nursing Assistants (CNA) were given any bonuses and report that back to the committee.

14:55:01 Rep. Carlson asked Ms. Branscum to follow up on the provider assistance situation. She also asked what the acronym MAN stands for.

14:59:10 Sen. Manzella asked Director Meier to explain the department's promotion policies.

15:03:38 Rep. Tenenbaum asked Ms. Holbrook to respond to Director Meier's assessment of the nature of the problem at the Montana State Hospital.

15:08:54 Rep. Tenenbaum said the State Hospital concerns are worth a future study and an ongoing conversation.

15:09:23 Sen. McNally asked if staff has gotten any bonuses during the COVID pandemic.

15:11:11 Robin Haux responded.

15:12:57 Rep. Stafman asked Director Meier about the decision to hire a consultant.

15:17:49 Rep. Tenenbaum asked Director Meier about the timeline for the review of the State Hospital.

15:21:37 Rep. Gillette asked Director Meier about negotiations with the union.

BREAK (reconvened at 3:41 p.m.)

AGENCY OVERSIGHT: DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

MAR Notice No. 37-909

15:42:56 DPHHS Inspector General Carter Anderson provided an update on MAR Notice No. 37-909.

Committee Questions

15:43:31 Rep. Stafman asked the committee if it wanted to continue its objection to the rule.

15:43:54 Director Meier urged the committee to consult with the legal staff on the actions that could be taken if the objection is lifted.

15:44:37 Alexis Sandru, Staff Attorney, explained that the informal objection only prevents the agency from filing an adoption notice.

15:45:32 Director Meier responded to committee questions that were submitted before the meeting. Director Meier also provided staffing updates for the department's reorganization.

Committee Questions

16:11:01 Rep. Gillette asked about the reinfection rates for COVID.

16:12:24 Rep. Carlson discussed getting letters from childcare providers regarding the confusion and misunderstanding between the expectations of the COVID grants and what's happening with the grants.

16:14:23 Sen. Manzella asked for a definition of non-inpatient.

16:15:12 Rep. Tenenbaum asked about the department's plans for ending continuous eligibility for the Medicaid expansion population when the public health emergency is over.

16:21:30 Rep. Stafman asked about the kind of data the department will collect when the public health emergency ends regarding the number of people removed from the Medicaid rolls and the number of people reinstated. Rep. Stafman requested that Director Meier report that on a regular basis to the committee.

16:22:44 Rep. Gillette commented on the Medicaid redetermination process and suggested syncing it with open enrollment in the health insurance exchange.

- 16:23:17 Rep. Caferro asked for clarification on how that would work with the Medicaid expansion population.
- 16:27:18 Rep. Stafman asked if the person hired to be the Faith and Community-Based Services Coordinator is connected to a particular church.

Law and Justice Interim Committee Update

- 16:30:46 Rachel Weiss, Research Analyst, Law and Justice Interim Committee, gave an update on the Law and Justice Interim Committee's HJR 4 Study activities.

Public Comment on Administrative Rules

- 16:35:10 Abigail St. Lawrence, Government Affairs Counsel, Montana Health Care Association, commented on MAR Notice No. 37-909.
- 16:39:01 Rose Hughes, Executive Director, Montana Health Care Association
([Exhibit 18](#))

BREAK (reconvened in 4:45 p.m.)

- 16:48:38 Ms. O'Connell distributed Heidi Bird's presentation ([Exhibit 19](#)). She also distributed a statutorily required report from Director Meier on the status of the Enterprise Data Warehouse Implementation ([Exhibit 20](#)).

Plans for March Meeting

- 16:51:15 Rep. Stafman gave an overview of agenda items for the March meeting.
- 16:52:03 Rep. Lenz asked Rep. Tenenbaum about the status of the bill draft for the HJR 39 Study. He also asked Ms. O'Connell if the March meeting will be a two-day meeting.

ADJOURNMENT

- 16:57:27 Rep. Staffman adjourned the meeting at 4:57 p.m.