



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

November 15, 2021
Room 317, Capitol Building
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:

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)
Sen. Jen Gross (D)
Sen. Mary McNally (D)
Rep. Danny Tenenbaum (D)

MEMBERS PRESENT VIA ZOOM

Sen. Theresa Manzella (R)

STAFF PRESENT:

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

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

COMMITTEE ACTION

The committee continued work on its three mental health studies – of the publicly funded adult and children's mental health systems and of the involuntary commitment of people with dementia – by hearing presentations on the following topics:

- the reasons in-state residential treatment centers don't accept certain children, resulting in the children's placement in out-of-state facilities;
- prevention and early intervention activities being undertaken in some school districts;
- the types of individual practitioners and provider entities that serve people with mental illness, including a new provider model known as Certified Community Behavioral Health Clinic;
- the types of payment models used in the state Medicaid program;
- mental health crisis services and strategic planning for crisis services;
- recommended practices for caring for individuals with dementia who are in danger of involuntary commitment; and
- the gaps, needs, and opportunities in both the children's and adult mental health systems.

The committee also heard updates from the Department of Public Health and Human Services about the agency's activities and about proposed rules for the Comprehensive School and Community Treatment program.

CALL TO ORDER/ROLL CALL

- 10:03:48 Presiding Officer Ed Stafman called the meeting to order at 10:03 a.m. The committee secretary called roll. ([Attachment 3](#))
- 10:05:07 Rep. Stafman gave opening remarks.

HJR 35 STUDY: CHILDREN'S MENTAL HEALTH SYSTEM

Overview of Study Presentations

- 10:06:35 Sue O'Connell, Research Analyst, gave an overview of the agenda topics and the presentations for the HJR 35 Study: Children's Mental Health System.
- 10:08:34 *Rep. Gillette joined the meeting at 10:08 a.m.*

Factors Affecting In-State and Out-of-State Placement of Children

- 10:10:14 Craig Aasved, CEO, Shodair Children's Hospital ([Exhibit 1](#))
- 10:19:15 Mike Chavers, CEO, Yellowstone Boys and Girls Ranch ([Exhibit 2](#))
- 10:28:27 Dennis Sulser, CEO, Youth Dynamics ([Exhibit 3](#))
- 10:40:35 Meghan Peel, Children's Mental Health Bureau, Department of Public Health and Human Services (DPHHS)
- 10:48:27 Mr. Sulser's played a video featuring the story of a Youth Dynamics resident.

Committee Questions of Speakers

- 10:53:16 Rep. Lenz asked Mr. Chavers about the Yellowstone Boys and Girls Ranch rates for out-of-state residents and the rates for in-state residents.

10:54:37 Rep. Lenz asked Mr. Aasved about the percentage of in-state residents in Shodair.

10:55:41 Rep. Gillette asked about health outcomes that can be tracked and considered as part of our funding package.

10:56:24 Mr. Aasved and Mr. Chavers responded.

10:58:09 Rep. Gillette asked Ms. O'Connell if she knew of a model that would show potential cost savings for out-of-state rates vs. in-state rates.

10:59:03 Rep. Carlson asked Mr. Aasved about which workers at Shodair had received the pay raise of \$15 an hour and whose pay is too low.

11:00:07 Rep. Carlson asked Mr. Chavers and Mr. Sulser to describe the home support services of their organization.

11:03:34 Sen. Friedel asked Mr. Chavers about the capacity of the Yellowstone Boys and Girls Ranch's residential campus.

11:06:44 Mr. Chavers and Mr. Aasved responded.

11:07:23 Sen. McNally asked Ms. Peel about the discrepancy between in-state and out-of-state reimbursement rates and whether the state is sending patients out-of-state due to staffing shortages in Montana facilities.

11:11:07 Sen. Manzella asked Mr. Aasved several questions regarding information found in his Medical Genetics document and his reference to spiritual care.

11:13:53 Rep. Caferro noted that in-state providers have the bed capacity to serve children but the Medicaid reimbursement rates don't cover the costs of operating the beds. She asked Ms. Peel whether the Legislature has a responsibility to fund in-state providers at a rate that would allow them to serve the children in Montana.

11:17:31 Rep. Tenenbaum asked Ms. Peel if the trend of sending children out-of-state going up or down or leveled out.

11:18:37 Rep. Stafman asked Mr. Sulser about children receiving home support services and CSCT services in the school at the same time.

Preventive Services

School-based Health Center Initiative

11:27:04 Kelsey Gummer, Montana Health Care Foundation ([Exhibit 4](#))

11:35:27 Chad Berg, Director of Special Education, Bozeman School District ([Exhibit 5](#))

Other Prevention Opportunities

11:57:00 Kimberly Koch, Prevention Section Supervisor, DPHHS Behavioral Health and Developmental Disabilities Division, gave a presentation on Communities that Care Plus Program (CTC) ([Exhibit 6](#)) and the PAX Good Behavior Game ([Exhibit 7](#)).

12:05:16 Karl Rosston, DPHHS Suicide Prevention Coordinator, gave a presentation on Suicide Prevention Resources for Youth ([Exhibit 8](#)).

Public Comment on HJR 35 Study

12:14:52 Matt Kuntz, Executive Director, NAMI-Montana

12:20:13 Jeff Folsom, University of Montana Center for Children, Families, and Workforce Development

12:21:30 John Doran, Blue Cross Blue Shield of Montana

12:24:31 Katherine Buckley-Patton, Beaverhead County Mental Health Local Advisory Council

Committee Questions of Speakers

- 12:27:29 Rep. Stafman asked Mr. Rosston to share with the committee any data on youth suicides.
- 12:28:49 Sen. Friedel asked Mr. Rosston about the results and effectiveness of prevention programs, especially since the pandemic started.
- 12:33:55 Rep. Caferro asked Mr. Berg about home support services and CSCT and whether a proposed DPHHS rule may result in children having less services.
- 12:37:21 Rep. Caferro asked Mr. Rosston if it is accurate to blame one community program for an increase in suicide rates.
- 12:39:19 Rep. Gillette asked the panelists what the Legislature can do to support the department and community partners.
- 12:43:28 Rep. Carlson asked Mr. Berg to explain in more detail the district's use of its school safety money for the programs he discussed.
- 12:45:33 Rep. Carlson asked the panelists if the programs that were discussed require parental knowledge and permission based on the services that the students are getting at school.
- 12:46:05 Mr. Rosston, Ms. Gummer, and Mr. Berg
- 12:46:57 Rep. Stafman asked Ms. Gummer, Mr. Rosston, and Mr. Berg if the broad array of school-based mental health services available in Bozeman exists in other school districts and whether federally qualified health centers (FQHC) could be created in other schools.
- 12:47:40 Rep. Stafman asked Ms. Gummer to discuss efforts around the state for school-based health centers and how many school districts have FQHC designations.
- 12:48:00 Rep. Stafman asked Mr. Rosston if the spike in suicides was because of the COVID pandemic. He also asked about the depression screening program that Mr. Rosston had mentioned.
- 12:53:25 Sen. Manzella asked Mr. Rosston to clarify the definition of active consent vs. passive consent for screening.
- 12:55:29 Sen. Friedel asked about letting parents know what is going on with their child in school.

LUNCH BREAK (reconvened at 1:54 p.m.)

SJR 14 STUDY: ADULT MENTAL HEALTH SYSTEM

Overview of Presentations and Materials

- 13:55:39 Ms. O'Connell gave an overview of the documents for the SJR 14 Study: Overview of Practitioner Types ([Exhibit 9](#)) and Overview of Provider Types ([Exhibit 10](#)).

Individual Practitioner Types

- 13:59:17 Lucy Richards, Executive Officer, Montana Board of Behavioral Health, Department of Labor and Industry, gave a presentation on licensing statistics for the Board of Behavioral Health. ([Exhibit 11](#))

Provider Entities

- 14:11:34 Dr. Eric Arzubi, Frontier Psychiatry, gave a presentation on telepsychiatry.
- 14:22:39 Rep. Carlson asked about the licenses required for out-of-state based psychiatrists, and whether barriers exist to get licensed to practice in Montana.
- 14:28:35 Mary Windecker, Behavioral Health Alliance of Montana ([Exhibit 12](#))

- 14:40:17 Tom McGuire, Executive Director for Service Lines/Outreach, Providence St. Patrick Hospital ([Exhibit 13](#))
- 14:44:28 Jeremy Williams, Director of Psychiatric Services, Providence St. Patrick Hospital

Federally Qualified Health Centers (FQHC)

- 14:50:35 Stacey Anderson, Policy Director for the Montana Primary Care Association

Public Comment on Practitioner and Provider Types

None.

Committee Questions of Speakers

- 14:59:32 Rep. Carlson asked Mr. Williams about his statement that 50% of the people needing long-term or inpatient care will be going out of state. He asked if he was referencing just adults or adults and children.
- 15:01:06 Sen. Gross asked Ms. Windecker about fee for service and value-based reimbursement in Montana.
- 15:05:44 Sen. Gross asked Ms. Windecker if the department has the authority to change a payment model.
- 15:06:25 Ms. Anderson commented on the CCBHC program.
- 15:08:01 Sen. McNally asked Ms. Windecker if the CCBHC program might be replacing the programs that are used currently.
- 15:11:23 Sen. McNally asked Ms. Windecker about the proposed rule that will discontinue the home support services for students who also receive CSCT services.
- 15:11:55 Rep. Stafman asked Ms. Windecker if CCBHCs were in the schools, would they be the equivalent of the FQHCs or CSCT or whether they could do both.

BREAK (reconvened at 3:28 p.m.)

Tribal Health

- 15:29:28 Dr. Desiree Fox, Supervisory Clinical Psychologist, Tribal Health, Confederate Salish and Kootenai Tribes, gave a presentation on mental health services on the Flathead Indian Reservation.

New Provider Model: Certified Community Behavioral Health Clinics

- 15:33:54 Ms. O'Connell ([Exhibit 14](#))
- 15:36:54 Rep. Stafman asked Ms. O'Connell to discuss how the payment rate for Medicaid-covered services would be matched.
- 15:38:06 Rep. Caferro asked Ms. O'Connell if the FQHCs are 100% federal Medicaid or if the state needs to provide a match when a Medicaid member goes to an FQHC.
- 15:39:32 Lenette Kosovich, Rimrock Foundation, gave a presentation on Rimrock's CCBHC effort.
- 15:46:38 Sydney Blair, Center for Mental Health ([Exhibit 15](#))

Medicaid Payment Models

- 15:53:19 Darci Weibe, Administrator, DPHHS Health Resources Division ([Exhibit 16](#))

Public Comment on Additional SJR 14 Study Items

- 16:07:34 Matt Kuntz, Executive Director, NAMI-Montana

Committee Questions of Speakers and Public

- 16:10:58 Rep. Carlson asked Mr. Kuntz to clarify his statement about the PhD psychology program at Montana State University.
- 16:12:31 Rep. Carlson asked Ms. Richards if it is a barrier for out-of-state providers to become licensed in Montana and if it would be feasible to use background checks for out-of-state providers.
- 16:19:24 Rep. Carlson asked Ms. Kosovich about the CCBHC funding model.
- 16:21:55 Rep. Gillette asked Ms. Wiebe which Medicaid payment methodologies include quality measures.
- 16:24:03 Ms. Wiebe answered Rep. Stafman's earlier questions regarding FQHCs.
- 16:24:45 Rep. Stafman asked Ms. Windecker about Montana being one of five states that is still under the fee for service payment model. He also asked about the CCBHC model.
- 16:27:36 Rep. Stafman asked Ms. Anderson about the differences between the CCHBC model and the FQHC model including differences in the services provided or in the reimbursement methods.
- 16:33:00 Rep. Carlson asked Ms. Kosovich about the CCBHC provider model.
- 16:36:24 Rep. Gillette commented on managed care.

RECESS

- 16:37:43 Rep. Stafman recessed the meeting at 4:37 p.m., to reconvene at 8:00 a.m. on Tuesday, November 16, 2021.