



Children, Families, Health, and Human Services Interim Committee

67th Montana Legislature

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June 7, 2021

TO: Children, Families, Health, and Human Services Interim Committee
FROM: Alexis Sandru, Staff Attorney
RE: Administrative Rule Report – June 2021 Meeting

This report summarizes administrative rules proposed by the Department of Public Health and Human Services (DPHHS) that are currently pending and rules adopted by DPHHS after the Legislature adjourned on April 29, 2021. Rule notices are available at www.mtrules.org (search by notice number, i.e., 37-943).

PROPOSAL NOTICES

MAR Notice Number: 37-943

Subject: Hospice fee schedule

Summary: The Department is proposing to update the Medicaid hospice reimbursement fee, effective October 1, 2020. The updated fee schedule is being proposed as a result of changes in federal hospice reimbursement rates and would implement an approximate, aggregate reimbursement rate increase of 2.4%, which the Department anticipates will have a fiscal impact of \$114,705 in combined state and federal funds.

Notes/Hearing: A public hearing was held on May 20, 2021. Public comment was due on May 28, 2021.

MAR Notice Number: 37-945

Subject: Fees for copies of death certificates and amendment of birth certificate gender designations

Summary: The Department is proposing to:

- pursuant to HB 139 (2021), increase the fee for a certified copy of a death certificate from \$15 to \$16 and increase the fee for an informational copy of a death certificate from \$13 to \$14. The Department anticipates a total fee increase of \$1,169.
- pursuant to SB 280 (2021), amend administrative rules regarding birth certificate sex designations to allow for the amendment of birth certificate sex designations only when there is a court order indicating that a person's sex has been changed by surgical procedure. The Department anticipates no fiscal impact associated with this amendment.

Notes/Hearing: A public hearing is scheduled at 9 a.m. on June 17, 2021, via remote conferencing (see the proposal notice for conferencing platform options). Public comment is due by 5 p.m. on June 25, 2021.

ADOPTION NOTICES

MAR Notice Number: 37-942

Subject: Low-Income Weatherization Assistance Program (LIWAP)

Summary: The Department proposed the following changes to LIWAP:

- allow reweatherization of a dwelling if the dwelling was weatherized with Department of Energy (DOE) funds fifteen years following the date of the previous weatherization completion (existing rule prohibits reweatherization with DOE funds after September 30, 1994);
- allow dwelling weatherization services funded by NorthWestern Energy and the Low-Income Energy Assistance Program 10 years following the date of the previous weatherization completion (existing rule allows reweatherization 10 years following the date of the previous weatherization application); and
- adopt the current edition of 10 CFR, Part 440, incorporate by reference the updated Standard Work Specifications on the National Renewal Energy Laboratory website, and adopt the updated Weatherization Assistance Program Policy and Procedure Manual to ensure weatherization measures are installed as intended and current weatherization standards are utilized.

Notes/Hearing: A public hearing was held on May 6, 2021. Public comment was due on May 14, 2021.

Adoption Notice Notes: The Department received no public comment and adopted the rulemaking as proposed. The rulemaking is effective July 1, 2021.