



CHILDREN, FAMILIES, HEALTH AND HUMAN SERVICES INTERIM COMMITTEE

68th Montana Legislature

SENATE MEMBERS

Daniel Emrich
Chris Friedel
Jen Gross
Dennis Lenz

HOUSE MEMBERS

Jennifer Carlson
SJ Howell
Ron Marshall
Michael Yakawich

COMMITTEE STAFF

Milly Allen - Research Analyst
Maddie Krezowski - Attorney
Jolanda Songer - Secretary

MINUTES LOG

September 12, 2023
Room 137
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:

Sen. Dennis Lenz, Chair (R)
Rep. SJ Howell, Vice Chair (D)
Rep. Jennifer Carlson (R)
Sen. Daniel Emrich (R)
Sen. Chris Friedel (R)
Sen. Jen Gross (D)
Rep. Ron Marshall (R) – Via Zoom
Rep. Michael Yakawich (R)

MEMBERS EXCUSED:

MEMBERS ABSENT:

STAFF PRESENT:

Milly Allen, Research Analyst
Maddie Krezowski, Attorney
Jolanda Songer, Secretary

AGENDA ([Attachment 1](#))

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

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

08:29:29 Chair Lenz called the meeting to order at 8:29 AM. The committee secretary took roll.

08:30:25 Chair Lenz

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

Staff Introductions by Director Charlie Brereton

08:32:52 Dave Gerard, Deputy Director

08:33:01 Erica Johnston, Human Services Executive Director

08:33:18 Kim Aiken, Chief Financial Officer

08:33:39 Mike Randol, Medicaid and Health Services Executive Director and State Medicaid Director

08:33:55 Dr. Doug Harrington, State Medical Director

Department Updates

08:34:13 Director Brereton

[EXHIBIT 1](#)

[EXHIBIT 2](#) - Pages 1-15

08:56:47 Presentation continued by Chief Information Officer Carrie Albro regarding the HB 10 update.

[EXHIBIT 2](#) – Pages 16-18

09:09:22 Presentation continued by Deputy Director Brereton regarding Medicaid Redeterminations and improving the Public Assistance Helpline (PAHL).

[EXHIBIT 2](#) – Pages 19-23

09:34:19 Presentation continued by Senior and Long -Term Care division (SLTC) Administrator, Barb Smith.

[EXHIBIT 3](#)

Committee Questions and Discussion

09:43:49 Rep. Carlson

09:43:55 Chair Lenz

09:44:18 Rep. Carlson

09:44:40 Director Brereton

09:45:36 Presentation by Human and Community Services Division (HCSD) Administrator, Jessie Counts.
[EXHIBIT 4](#)

09:50:21 Chair Lenz

09:51:28 Director Brereton encouraged the committee to review the HEART report (HB 310) in advance of Rebecca's presentation at a coming meeting.

09:52:09 Rep. Carlson thanked Director Brereton for opening the Offices of Public Assistance (OPA) and asked for clarification regarding only opening several regional offices.

09:52:55 Rep. Carlson asked Director Brereton about the customer satisfaction of the off-site call center from Public Consulting Group (PCG).

09:54:26 Rep. Carlson asked Director Brereton when the Comprehensive Child Welfare Information System (CCWIS) will be usefully operational.

09:55:20 Rep. Carlson asked Director Brereton for information about The Money Follows the Person (MFP) and for clarification regarding the statement "We have problems with background check issues in senior long-term care".

09:55:46 Chair Lenz asked Director Brereton who constituents should turn to regarding difficulties with the redetermination process?

09:58:58 Chair Lenz asked Carrie Albro to define Organizational Change Management (OCM).

10:00:24 Chair Lenz asked Carrie Albro about leading with how the organization should operate instead of having to be governed by IT.

10:01:45 Chair Lenz asked Carrie Albro regarding the IT system and the length of the process.

10:03:40 Director Brereton

10:04:27 Chair Lenz

10:04:45 Rep. Howell asked Director Brereton how many people will be disenrolled as result of the Medicaid redetermination process.

10:05:45 Rep. Howell asked Director Brereton how many of the 55 thousand people who lost coverage are children.

10:06:22 Rep. Howell asked Director Brereton if they are doing Ex-Parte renewals of children and children's coverage under Healthy Montana Kids (HMK).

10:06:43 Jessie Counts

10:07:44 Rep. Howell asked Director Brereton if they are considering taking on strategies available in the coming months to address the procedural termination rates.

10:09:55 Rep. Howell shared about hearing regarding the wait times, glitches in the online system, and other issues and asked the director if they are tracking the data regarding errors.

10:12:24 Rep. Howell asked Director Brereton if the State is open to the option to delay or pause procedural terminations for 30 days option given by CMS (Centers for Medicare & Medicaid) to address some of the challenges.

10:13:06 Sen. Gross asked Director Brereton if the Department is intending to apply for the Summer EBT program.

10:14:02 Chair Lenz asked Director Brereton to go over the redetermination windows.

10:23:44 Rep. Yakawich asked Jessie Counts about the Snap Employment and Training Program.

10:25:25 Director Brereton

10:28:35 Rep. Carlson asked Director Brereton about assistance to smaller providers who must resubmit (retroactive rates).

10:30:09 Director Randol

10:31:19 Sen. Gross asked Director Brereton for data of disenrolled children (county by county) and for the number of new enrollment applications that are the results of people who have been disenrolled.

10:34:20 Rep. Marshall asked the Director for data regarding how many people lost coverage because of non-response and how many are no longer eligible.

10:35:21 Sen. Emrich asked Erica Johnston about the 5-day hearings and what the department tries to accomplish regarding a resolution for the parents or a path forward.

10:36:48 Sen. Emrich asked Erica Johnston for statistics of children returned to their parents regarding the 5-day hearings.

10:37:37 Sen. Emrich asked Erica Johnston about the approximate number of kids in care.

10:38:44 Sen. Emrich asked Erica Johnston for clarification regarding children receiving permanency.

Public Comment on the DPHHS Introductions and Updates

10:43:02 Jasyn Harrington, Executive Director, Career Training Institute (CTI)

10:47:52 Jackie Semmens, Policy Analyst, Montana Budget & Policy Center (MBPC)
[EXHIBIT 5](#)

10:49:53 Sen. Emrich left the meeting

10:52:35 Lynda Schuldheisz, Work Force Development Manager, District 11 Human Resource Council

10:57:05 Senator Dunwell, SD 42

11:00:21 Ruth Burke, Executive Director, District 11 Human Resource Council

11:06:30 Rose Hughes, Montana Health Care Association (MHCA)

11:10:35 Joseph Torpey, Program Advocate, Career futures Inc.

11:13:31 Julia Maxon, Program Director, Montana Women Vote (MWV)

11:15:42 Lauren Wilson, President, Montana Chapter American Academy of Pediatrics (MTAAP)

11:18:07 Sarah De Money, Executive Director, Career Futures Inc.

11:21:44 Rep. Yakawich left the meeting

11:21:50 Sen. Friedel left the meeting

11:22:02 Director Randol
[EXHIBIT 6](#)

MEDICAID WAIVER: WASP FERTILITY PRESERVATION AMENDMENT**Presentation**

11:22:57 Katie Hawkins, Allied Health Services Bureau Chief, Health Resources Division
[EXHIBIT 6](#)

11:25:34 Director Randol

11:25:41 Rep. Yakawich joined the meeting

11:26:01 Katie Hawkins

Committee Questions and Discussion

- 11:26:37 Sen. Gross asked Director Randol if Montana would be the first state with fertility preservation services if the waiver is approved.
- 11:27:06 Sen. Gross asked Director Randol about the department's confidence of the 1115 demonstration project being approved.

Public Comment on WASP Fertility Preservation Amendment

- 11:28:42 Senator Dunwell, SD 42

ADMINISTRATIVE RULE REVIEW

Presentation

- 11:30:34 Maddie Krezowski
[EXHIBIT 7](#)
[EXHIBIT 8](#)
- 11:32:53 Sen. Emrich joined the meeting

Committee Questions and Discussion

- 11:33:50 Rep. Yakawich
- 11:37:35 Chair Lenz

Public Comment on Administrative Rule Review

- 11:39:05 None

RECESS

- 11:39:24 Reconvened at 11:47:46
- 11:47:46 Sen. Gross left the meeting

WORK PLAN AND COMMITTEE TOPIC PLANS

Presentation of Final Draft Work Plan

- 11:48:10 Milly Allen
[EXHIBIT 9](#)

Committee Questions and Discussion

- 11:52:22 Chair Lenz
- 11:53:41 Rep. Yakawich
- 11:54:01 Chair Lenz
- 11:54:10 Milly Allen
- 11:55:01 Rep. Yakawich

11:55:23 Rep. Carlson

11:56:31 Sen. Emrich

11:56:58 Rep. Howell

11:57:24 Milly Allen

11:58:14 Rep. Carlson

11:58:27 Chair Lenz

Presentation of Topic Plans

11:58:41 Milly Allen

[EXHIBIT 10](#)

12:00:42 Sen. Gross joined the meeting

Committee Questions and Discussion

12:04:30 Rep. Carlson asked Milly Allen about meeting dates.

12:04:40 Milly Allen

12:05:48 Rep. Carlson

12:06:53 Milly Allen

12:07:52 Chair Lenz

12:09:03 Rep. Yakawich asked Milly Allen if there is a template the committee could use to make suggestions.

12:09:39 Chair Lenz

12:09:55 Rep. Yakawich

12:10:18 Milly Allen

[EXHIBIT 9](#)

12:12:11 Chair Lenz

12:12:36 Milly Allen

12:12:51 Chair Lenz

12:13:44	Rep. Howell talked about the Family Peer Support Models and HJ 38 agenda items.
12:14:28	Rep. Carlson
12:15:00	Rep. Howell talked about the Coordinated Crisis Care Entry Points being worthy of discussion.
12:16:26	Chair Lenz
12:17:05	Rep. Carlson
12:18:00	Milly Allen
12:19:16	Chair Lenz
12:19:28	Rep. Carlson
12:20:30	Chair Lenz
12:21:10	Milly Allen
12:22:11	Chair Lenz talked about moving the next meeting date from November 15 to November 16.
12:23:22	Sen. Emrich
12:23:55	Chair Lenz
12:25:53	Milly Allen
12:26:04	Chair Lenz
<u>RECESS</u>	
12:26:34	Reconvened at 14:01:06
14:01:06	Sen. Emrich left the meeting
14:01:06	Rep. Carlson left the meeting
14:01:06	Sen. Friedel joined the meeting

LONG TERM CARE STUDY: AGE PROJECTIONS IN MONTANA

Presentation

14:01:33 Joshua Poulette, Senior Fiscal Analyst, Legislative Fiscal Division (LFD)

[EXHIBIT 11](#)

Committee Questions and Discussion

14:18:28 Sen. Friedel asked Joshua Poulette why 2019/2020 data was not added to the 2030 data for comparison and projection and about mass migration to Montana and plans to handle the increase.

14:24:26 Sen. Friedel asked Joshua Poulette about the baby boomers and their ability to pay for health care services.

14:33:00 Rep. Yakawich asked Joshua Poulette for data about what is working and what is not working in rural areas.

14:38:31 Rep. Howell asked Joshua Poulette about income data for people moving in at/near retirement age and if they should anticipate movement from some communities to others related to age.

Presentation Continued

14:43:28 Joshua Poulette

14:45:46 Rep. Carlson joined the meeting

Committee Questions and Discussion

14:48:29 Sen. Gross stated that it would be helpful to receive the updated report.

14:48:39 Chair Lenz

14:49:02 Rep. Yakawich asked Joshua Poulette if the tax and financial base would change when the population is aging.

14:50:32 Rep. Yakawich asked Joshua Poulette how the tax and financial changes would impact our elderly population.

14:51:50 Chair Lenz asked about the models coming out with different population projections than previously anticipated.

14:53:55 Sen. Friedel asked Joshua Poulette about income vs. wealth in regard to people moving to Montana.

Public Comment on Long Term Care Study

14:55:59 Rose Hughes, Executive Director, Montana Health Care Association (MHCA)

15:01:38 Senator Dunwell, SD 42

15:02:47 Chair Lenz

15:03:32 Rep. Yakawich suggested to revisit with Barbara Smith, Senior and Long-Term Care Director about the survey she did.

Public Comment on any matter within the scope of the committee that was not on the agenda

15:05:24 Emily Herndon, President, American Physical Therapy Association Montana Chapter (APTA)

15:08:39 Karen Oberg

15:11:19 Michael Crews

15:14:33 Rep. Howell

15:14:55 Kate Brewer

15:17:50 Rep. Marshall left the meeting

15:20:40 Jenni Kingan, The Montana Speech-Language Hearing Association (MSHA) and Montana Medicaid Representative.

15:25:11 Jeremy Hoscheid, Executive Director, Mental Disabilities Board of Visitors (MDBoV)

15:28:22 Sarah Corbally, Healthy Mothers, Healthy Babies, The Montana Coalition (HMHB)

15:29:39 Rep. Gillette, HD 64

15:32:41 Sen. Dunwell, SD 42

15:36:09 Sen. Emrich joined the meeting

15:36:15 Rep. Emrich joined the meeting.

15:38:05 Mary Windecker, Behavior Health Alliance of Montana (BHAM)

15:42:18 Beth Ayers

Committee Questions and Discussion

15:43:43 Rep. Carlson asked Jeremy Hoscheid if the MDBoV is a resource for constituents regarding State Hospital consumer complaints.

15:46:26 Sen. Gross responded to public comment and asked if it is common practice for the Department to do the audits and demanding repayment.

15:47:16 Chair Lenz

15:47:30 Sen. Gross

15:47:52 Rep. Carlson asked Michael Crews to educate the committee about insurance coding.

15:51:23 Rep. Carlson asked Michael Crews if she felt the Auditor/Medicaid/the Department (whoever she talked to) understood the importance of providing therapy in a way that is beneficial to the child.

15:52:29 Karen Oberg

15:53:27 Chair Lenz asked the staff to look at the standard when a problem is found during audits and if there is allowance for unintentional oversight and what the expectations are for repayment.

15:54:08 Rep. Howell asked to add what part of the audits are being required by CMS and whether the repayment is to the State, the Feds, or both.

RECESS

15:54:39 Reconvened at 16:05:59

COMMITTEE WORK SESSION

16:06:06 Chair Lenz

16:06:10 Rep. Yakawich gave the committee an update relating to HB 872.
[EXHIBIT 12](#)

16:16:06 Chair Lenz continued the conversation about meeting dates.
[EXHIBIT 9](#)

16:18:10 Milly Allen

16:18:20 Chair Lenz

16:18:36 Milly Allen

Committee Adoption of Work Plan

MOTION

16:19:14 Rep. Howell moved to adopt the amended work plan with the changed meeting date of November 16, 2023.

VOTE

16:19:27 The motion carried unanimously by voice vote.

16:19:32 Chair Lenz

16:20:29 Sen. Gross talked to the committee about HJ38.

16:22:10 Rep. Carlson

16:24:42 Chair Lenz

16:26:45 Rep. Carlson

16:27:30 Chair Lenz

16:28:29 Rep. Carlson

16:29:01 Rep. Howell

16:31:17 Chair Lenz

16:31:56 Sen. Emrich

16:33:09 Chair Lenz

16:33:41 Rep. Carlson

16:34:41 Sen. Gross suggested to send a letter to the Department.

16:35:50 Chair Lenz

16:36:46 Milly Allen

MOTION

16:37:06 Chair Lenz moved to send a letter to DPHHS and request information as part of the agency oversight.

VOTE

16:37:11 Without objection, so ordered.

16:37:19 Milly Allen provides a recap of the work plan.

16:38:41 Chair Lenz

16:39:04 Milly Allen

16:40:41 Rep. Howell

16:43:05 Rep. Carlson would like to hear about the Sequential Intercept Model and spend time on crisis stabilization.

- 16:47:43 Rep. Yakawich shared the names of the Behavioral Health System for Future Generations Commission members.
- 16:49:38 Maddie Krezowski confirmed with the Department that they are not publishing any Rules Notices in the September 22 issue of the MAR.
- 16:49:57 Milly Allen continues the recap.

ADJOURNMENT

- 16:51:08 Chair Lenz adjourned the meeting at 4:51 p.m.